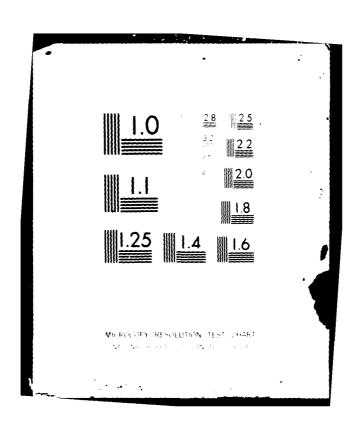
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UNITED STATES METRIC BOARD

A STUDY OF METRIC MEASUREMENT

AND LEGISLATION

FINAL REPORT - VOLUME 2

September 10, 1979

Prepared under Contract AO-AO6-78-00-1347



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of government? The results of the study provided the United States Metric Board with information which would enable the Agency to report to the Congress on the need for a new structural mechanism.

The report was organized in an attempt to logically structure a very complex set of issues for the reader. The report describes the current United States

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SECURITY CLASSIFICATION OF THIS PAGE (When Date Entered)

# SECURITY CLASSIFICATION OF THIS PAGE(When Date Entered) metric environment, and the legislative and regulatory environment within the United States. It analyzes the need for an effective change mechanism and outlines the alternative change mechanisms identified. The study presents alternative change options and the study recommendations, as well as describing the data collection methodology. Finally, the report summarizes the relevant experiences of Canada and Australia.

Unclassified

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# September 12, 1979

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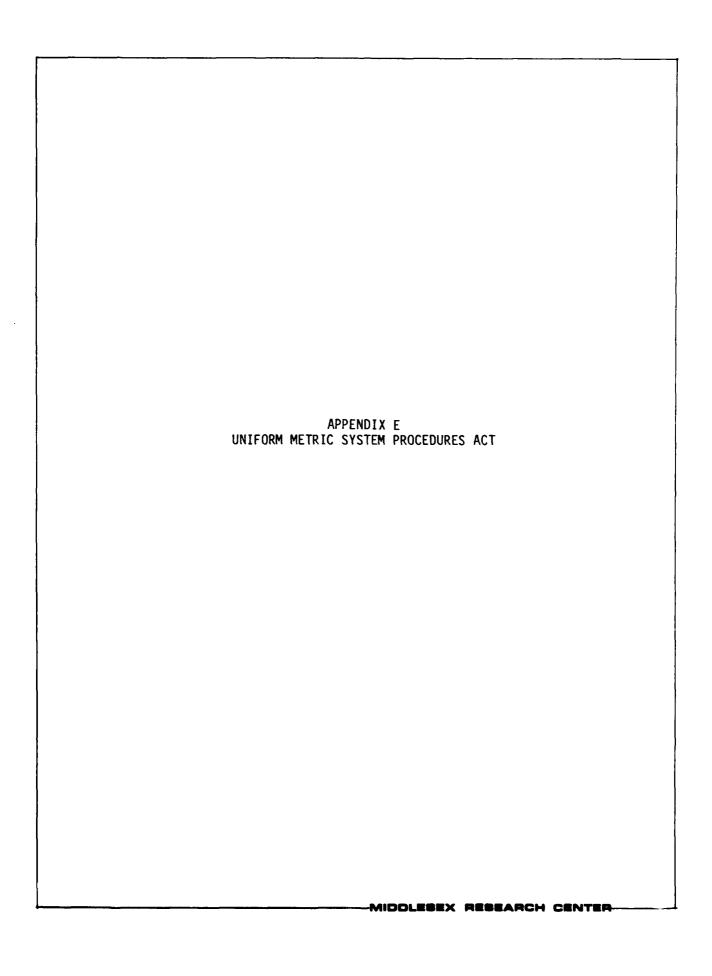
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Drafted by the

NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS

and by it

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at its

ANNUAL CONFERENCE

MEETING IN ITS EIGHTY-EIGHTH YEAR

AT SAN DIEGO, CALIFORNIA

AUGUST 3-10, 1979

With

Prefatory Note and Comments

(August 28, 1979 Version-subject to formal revisions by Style Committee)

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#### UNIFORM METRIC SYSTEM PROCEDURES ACT

## Prefatory Note

# Need for a Uniform Metric System Procedures Act

Several considerations have made it appropriate for the National Conference of Commissioners on Uniform State Laws to propose a Uniform Metric System Procedures Act. Although Congress for more than two centuries has had the express power to "fix the Standard of Weights and Measures" the actual administration of weights and measures policy has remained in practice almost exclusively a state function. The necessary national uniformity is brought about through the National Conference on Weights and Measures, an organization of State, county and city weights and measures officials sponsored but not controlled by the National Bureau of Standards of the U.S. Department of Commerce.

More than a century ago Congress declared that the metric system could be used in parallel with the preexisting or "customary" units of weights and measures. Thus in 1866 Congress provided:

It shall be lawful throughout the United States of America to employ the weights and measures of the metric system; and no contract or dealing, or pleading in any court, shall be deemed invalid or liable to objection because the weights or measures expressed or referred

to therein are weights or measures of the metric system. (R.S. § 3569; 15 U.S.C. § 204).

At the same time Congress declared (R.S. § 3570; 15 U.S.C. § 205) that certain tables of equivalents between the metric system and customary units shall be recognized in the construction of contracts and in all legal proceedings. However, these provisions were of little practical significance until the late 1960's when Congress authorized the Secretary of Commerce to conduct a study to determine the impact of increasing worldwide use of the metric system on the United States and to appraise the practicability of increasing the use of metric measurement units in this country. In July 1971 the Department of Commerce issued a report concluding that the United States should change to the metric system through a coordinated national program. The Secretary of Commerce, in transmitting the Metric Report to Congress, emphasized, inter alia, three points: (a) that in order to encourage efficiency and minimize overall costs to society, the general rule should be that any changeover costs should "lie where they fall," (b) that Congress, after deciding on a plan for the nation, should establish a target date ten years ahead, by which time the United States would become predominantly, though not exclusively, metric, and (c) that there be a firm government commitment to this goal. The fact that the United Kingdom, Australia, New Zealand and Canada are converting to the metric system led Congress in the Education

Amendments of 1974 to find, <u>inter alia</u>, that "increased use of [the] ... metric system in the United States is inevitable, and [that the] ... metric system will become the dominant system of weights and measures in the United States ...." Finally, in 1975 Congress enacted the Metric Conversion Act of 1975 ("MCA"), which establishes the United States Metric Board, and declares a national policy to coordinate and plan the increasing use of the metric system in the United States. The MCA has been variously interpreted, with some contending that it reflects a national policy favoring metric conversion (although not tied to a ten-year or other specific timetable), and others contending that the MCA is silent on national metric policy.

Of particular importance to the States, however, is the fact that MCA  $\S$  6(11) directs the Metric Board to:

(11) submit to the Congress and to the President not later than 1 year after the date of enactment of the Act making appropriations for carrying out this Act, a report on the need to provide an effective structural mechanism for converting customary units to metric units in statutes, regulations, and other laws at all levels of government, on a coordinated and timely basis in response to voluntary conversion programs adopted and implemented by various sectors of society under the auspices and with the approval of the Board. If the Board determines that such a need exists, such report shall include recommendations as to appropriate and effective means for establishing and implementing such a mechanism.

The Uniform Metric System Procedures Act is intended to supply

the "effective structural mechanism" alluded to in the Federal MCA so as to forestall any attempt to enact Federal preemptive legislation in the traditionally state-controlled weights and measures area.

# History of the Act

The decision of the National Conference of Commissioners on Uniform State Laws to prepare a draft of the Uniform Metric System Procedures Act was made in 1975. The Special Committee on a Uniform Metric System Procedures Act, appointed in that year held seven meetings, one of which was a joint meeting with the Committee on Metric System in Commercial Transactions of the Section of Corporation, Banking and Business Law of the American Bar Association and with the Procedures Committee of of the American National Metric Council ("ANMC"), a nonprofit organization established in 1973 by business, labor and educational interests to manage the metric conversion pending the authorization and organization of the U.S. Metric Board. ANMC circulated working drafts of the Uniform Metric System Procedures Act to each of its 35 Sector Committees for analysis and comment. Representatives of the U.S. Metric Board, the National Conference on Weights and Measures and the National Bureau of Standards attended one or more of the Special Committee meetings and participated in the discussions.

On October 20, 1978 the Reporter presented a progress report on the Act to the full U.S. Metric Board and suggested a possible approach for coordinating the adoption and implementation of the Act with appropriate legislation at the Federal level.

Tentative Draft No. 1 was read for the first time at the meeting of the National Conference on August 3, 1978 in New York City. The Official Text of the Act was approved by the National Conference on August 10, 1979 in San Diego.

# Contents and Structure of the Act

The principal basic requirement of state metric conversion legislation is that it anticipate to the maximum extent possible the full range of state activity required during the conversion period. This requirement arises because of the general expectation that as the metric conversion process reaches the general public a severe (although doubtless temporary) adverse public reaction will develop. Once that reaction has appeared further state legislation will be difficult, if not impossible, to obtain on any predictable basis. Thus, it is exceedingly important that the substance of state metric conversion legislation be carefully thought out in advance, and that it be enacted at the preliminary stages of the conversion process.

A second basic requirement is that state metric conversion legislation encourage a national (or at least a regional) approach to metrication problems, so as to mimimize the potential for conflicting (and hence possibly unconstitutional under the Federal commerce clause) requirements on commerce and industry. During the early stages of the conversion process the Act operates as a brake on government units which might otherwise take unilateral action and rush headlong into programs for expanded metric usage. During the intermediate stages of the conversion process the Act (1) authorizes necessary government activity to facilitate voluntary change to metric usage, (2) insures that uniform metric terminology will be used so as to avoid mistake, confusion or deception, and (3) requires that state action be consistent wih regional or national practices. The Act deals with this problem by developing and employing the concepts of "approved practice" and "generally accepted practice". The former is "a practice, as approved by an interstate coordinating body [a term which is defined to mean the U.S. Metric Board and other bodies designated by the U.S. Metric Board for the purpose], to be followed by governmental authority in connection with conversion to the metric system of measurement." The latter is a "practice that has been found by an interstate coordinating body or by the [state] administrator [responsible for executing

the Act] to have been adopted by most of the sellers and buyers of a particular commodity, or providers and users of a particular service, either generally or in a particular territory, in connection with conversion to the metric system of measurement." Throughout the Act, these concepts are then used to encourage uniform or coordinated state action. During the final stages of the conversion process the Act authorizes a variety of "cleanup" measures, such as the discontinuance of verification of little-used customary measuring devices, the elimination of potentially deceptive or confusing trade practices, and ultimately the discontinuance of selected customary units as legal in trade. For example, under present conditions few, if any, regulatory authorities would permit electric cable to be sold by the rod or milk to be sold by the gill. Although the rod and gill are well-established customary units, their use in the referenced contexts would not adequately inform the consumer of the quantity of goods sold. During the late stages of metric conversion additional customary units will fall into this category.

The Act creates a structure for coordinating public and private metric conversion activity, establishes procedures and imposes limitations on the conversion of references in the customary system to references in the metric system in statutes, rules and local laws, and deals specifically with a number of

related topics.

Article 1 contains definitions and general provisions applicable throughout the Act, including provisions which make clear that the Act is not intended to represent a legislative policy in favor of metric conversion and which require that state and local metric conversion activity be coordinated with activities in other States (Section 102), which declare that the Act does not authorize increased or otherwise modified regulation unrelated to the metric conversion question (Section 104), which make the Act essentially the plenary and exclusive mechanism for converting language in state rules and local laws to metric usage (Section 105) and which authorize rules and local laws under the Act to be adopted on a basis temporarily classified by territory or subject matter (Section 106).

Article 2 contains the structural provisions of the Act, including provisions creating an Interagency Metric Committee (Section 202), and a Metric Advisory Council with representation from both houses of the state legislature and with power to coordinate metric conversion within the State (Section 203).

Article 3 is the heart of the Act and deals with the use of metric language in state and local laws. Section 301 prepares the way for administrative action designating metric

quantities which temporarily replace customary quantities set forth in statutes; the section (together with Section 503) provides in effect that all references to customary quantities in statutes are repealed, but that the repeal as to any particular quantity shall take effect only as and when the void is filled by a legally-enforceable statement on the same subject generated under the procedures of the Act, containing the same legal principle, and employing measurement references in metric terms. Section 302 authorizes the administrator under the Act to replace such contingently repealed statutory references to customary quantities with references to metric quantities and to make similar changes to rules by direct amendment, and Section 303 authorizes a political subdivision to make the same type of changes in local laws.

Section 305 permits the conversion of nonnumerical references such as "acreage" and "mileage" for area and distance. Under Section 306 (which is a general provision applicable to almost all action under the Act) no substitution may be made or other action may be taken unless a number of procedures are observed, including public notice and opportunity for hearing, findings with respect to conformity to applicable national or regional metrication programs, and explanation of rounding (which may be to within the lesser of one percent or one cent in money value in the case of fees, taxes, charges, utility rates,

controlled prices and similar financial matters or within 12.5 percent in any other case (Section 304)). Section 307 requires a finding that a consensus of those affected exists in most cases where the use or utility of tangible property is affected. Section 308 deals with conversion of court rules and other judicial documents. Section 309 deals with the drafting of new statutes and Section 310 with the proposal of new administrative rules, in each case from the point of view of the proper selection of measurement language. Section 311 authorizes the administrator to make binding within the State national standards relating to units, spelling, symbols, capitalization and similar matters of metric usage. Section 312 establishes machinery to insure that state and local draftsmen have available the administrator's expertise when drafting rules or local laws which contain references to a physical quantity, whether in customary or metric terms.

Article 4 covers a miscellaneous group of topics, including provisions encouraging metric education of the public (Section 401), dealing with conversion of utility rates and other controlled prices (Section 402), authorizing the imposition of dual-dimensioning and in some instances metric-only dimensioning requirements with respect to plans and specifications for construction projects (Section 403), dealing with government procurement practices (Section 404), expanding

the powers of the administrator and the state weights and measures agency to deal with a variety of metrication issues and problems (Sections 405 through 408) and providing for the implementation of the forthcoming metric state plane coordinate system of mapping (Section 409).

Article 5 contains formal provisions relating to uniformity of construction and severability, and important alternative substantive provisions relating to the contingent repeal of existing statutory provisions which utilize customary references.

الأنهاج المستري

# UNIFORM METRIC SYSTEM PROCEDURES ACT

# [AN ACT]

[Relating to the use of references to physical quantities; regulating and restricting conversion to the metric system of measurement; prescribing and limiting the powers and duties of public officers and agencies; providing penalties; repealing inconsistent acts; and making uniform the law with reference thereto.]

[Enacting clause, etc.]

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#### ARTICLE I GENERAL PROVISIONS

SECTION 101. [Short Title.]

This Act may be cited as the "Uniform Metric System Procedures Act."

SECTION 102. [Metric Conversion Policy.]

This Act regulates conversion to the metric system of measurement initiated or facilitated by governmental authority but does not imply that the public policy of this State favors conversion to the metric system. This act shall be administered with a view to the conversion to the metric system in this State on a basis coordinated with developments in other States.

#### Comment

Experience teaches that any metric legislation is popularly regarded as an expression of a prometric sentiment. This section makes clear that the Act is a response to increasing metric usage, regardless of its source, and does not reflect a legislative judgment for or against the use of the metric system.

# SECTION 103. [Definitions.]

As used in this Act:

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- (1) "Administrator" means the head of the [department] designated under Section 201 to administer this Act.
  - (2) "Approved practice" means a practice, as approved by an interstate coordinating body, to be followed by governmental authority in connection with conversion to the metric system of measurement.
    - (3) "Board" means the United States Metric Board existing under the Metric Conversion Act of 1975 (P.L. 94-168; 89 Stat. 1007; 15 U.S.C. § 205a et seq.).
- 12 (4) "Committee" means the interagency metric committee
  13 established by Section 202.

- 14 (5) "Council" means the metric advisory council
  15 established by Section 203.
- (6) "Customary system of measurement" or "customary system" means measurement by any method other than the metric system of measurement.

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- (7) "Generally accepted practice" means a practice that has been found by an interstate coordinating body or by the administrator to have been adopted by most of the sellers and buyers of a particular commodity, or providers and users of a particular service, either generally or in a particular territory, in connection with conversion to the metric system of measurement.
  - (8) "Governing body" means the governmental body authorized to adopt a local law.
  - (9) "Interstate coordinating body" means the United States Metric Board or any body recognized by the board as an interstate coordinating body for the purposes of this Act.
- 31 (10) "Local law" means an ordinance, regulation,
  32 or other enactment having the effect of law, except a state
  33 law.
- 34 (11) "Metric system of measurement" or "metric system"
  35 means measurement in terms of units, and related symbols and

- practices, that are recognized under the Metric Conversion Act of 1975 as comprising the metric system.
- 38 (12) "Recognized practice" means an approved practice
  39 or a generally accepted practice that is recognized for use
  40 in this State by rule of the administrator.

- applicability that implements, interprets, or prescribes law or policy, or describes the organization, procedure, or practice requirements of any state officer or agency, other than the legislature or the courts. The term includes the amendment or repeal of a prior rule, but does not include an ordinance, regulation, or other enactment of a political subdivision or a statute.]
  - (14) "State law" means a statute or a rule.
  - (15) "Weighing or measuring device" means a scales, tape, volumetric meter or other weighing or measuring device subject to approval or inspection by governmental authority as to accuracy. The term does not include a container or package in which goods are distributed.

#### Comment

1. "Administrator." See Comment to Section 201 for revisions required if Alternative B of that section is adopted.

The word "department" is bracketed in recognition of the fact that in certain jurisdictions executive departments are referred to as "commissions", etc. In certain jurisdictions use of an existing official title may be appropriate, e.g. "director (cr administrator) of weights and measures".

- 2. "Approved practice." The term is intended to cover action such as an American Association of State Highway and Transportation Officials recommendation that the 55 miles per hour speed limit be replaced by a 90 kilometers per hour (km/h) limit. The practice could be one of refusing or deferring metric conversion, e.g. a decision to continue to use the foot as the unit of altitude in civil aviation.
- 3. "Customary system of measurement" or "customary system" includes not only the common foot, pound, gallon, etc. units, but also all metric terms which have not been recognized (see comment 6, below) for use in the United States, e.g. kilowatt-hour, myriameter, stere, millier or tonneau, quintal, myriagram and kilo (for kilogram).
- 4. "Generally accepted practice." The term is intended to cover practices in the private sector which are adopted in connection with metric conversion, such as the substitution of 2400 millimeter (mm) by 1200 mm panel board for 8.0 ft. (2438.4 mm) by 4.0 ft. (1219.2 mm) panel board.

A practice is "adopted by most of the sellers and buyers" when a consensus is reached on a voluntary standard relating to the new size; it is not intended that evidence of substantial actual use in commerce of the practice be a necessary prerequisite to its status as generally accepted, otherwise most new practices would fail to qualify.

- Association of State Highway and Transportation Officials,
  American National Metric Council, National Association of
  Regulatory Utility Commissioners, National Conference of States
  on Building Codes and Standards and National Conference of
  Weights and Measures will presumably be among those considered
  for recognition as interstate coordinating bodies for the
  purposes of the Act. The Board could, of course, recognize
  a body for a limited purpose or with respect to a limited subject
  matter.
- 6. "Metric system of measurement" or "metric system" refers to the "International System of Units" ("SI") adopted in 1960 by the General Conference on Weighter and Measures, which meets periodically pursuant to the Convention of the Meter, 20 Stat. 709 (1878). See generally International Standard ISO 1000; National Bureau of Standards, U.S. Department of Commerce, Special Publication No. 330, The International System of Units (SI) (1977). The Metric Conversion Act of 1975, 89 Stat. 1007,

- Pub. L. 94-168, § 4(4) (15 U.S.C. § 205c(4)) authorizes the Secretary of Commerce to interpret or modify the International System of Units for the United States. The Secretary periodically exercises this authority by publication of tables in the Federal Register, e.g. 41 F.R. 54018 (December 10, 1976), 42 F.R. 56513 (October 26, 1977), which augment the tables dating from 1866 set forth in R.S. § 3570 (15 U.S.C. § 205).
- 7. "Recognized practice." The term is intended to identify a class of metric conversion practices which the administrator under the Act has determined are suitable for use in local laws within the State. Ordinarily, local government officials may not have access to current information on metric practice, and therefore Section 306(a)(1)(i)(A) restricts the range of local government response to increasing metric usage to the adoption of those approved or generally accepted practices which have been expressly "recognized" for local government use. See also Section 312.
- 8. "Rule." The bracketed language is derived from the definition of "rule" in § 1(7) of the Revised Model State Administrative Procedure Act. If Alternative A of Section 308 is adopted the words "or the courts" should be omitted. The draftsman in a particular jurisdiction should review this definition, the definitions of "local law" and "state law," as well as any definition of "statute" (which is not defined

in the Uniform Metric System Procedures Act) in the state statutory interpretation act, to determine whether any modifications are necessary to accommodate to the usage in the jurisdiction. The definition tree used in the Act is as follows:

State and local law

State law

Statute

Rule

Local law

Ordinance

Local regulation

Other local enactment

Thus a regulation of a local agency is not a "rule" within the meaning of the Act.

9. The Uniform Metric System Procedures Act does not define the term "political subdivision." The draftsman in a particular jurisdiction should determine whether a definition is necessary in order to embrace clearly school, area college, utility, improvement, transit and other special districts and entities, including bridge, port and river basin authorities and similar agencies existing under interstate compacts.

# SECTION 104. [Increased Regulation Not Authorized.]

This Act does not authorize the imposition of any new or modified regulatory requirement except as required to facilitate voluntary conversion to the metric system of measurement or as expressly provided in Articles 3 and 4 of this Act.

#### Comment

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As indicated in Section 105, the Act regulates state and local officials in their response to increasing metric usage. Sections 405 through 408 lay the groundwork for the regulation of private abuses which may arise in connection with the introduction of metric usage and the phasing out of customary usage. In Article 3 it has been necessary to delegate limited powers to state and local officials to translate customary laws into metric usage. This section is intended to make clear that those powers may be exercised only so far as necessary to overcome the problems incident to a transition to metric usage, and may not be used for other purposes.

# SECTION 105. [Effect on Other Laws.]

(a) A reference in the customary system of measurement in a rule or local law may be replaced by a reference in the metric system of measurement only as provided by this Act.

- (b) Except as provided in Section 311, this Act does not affect the use of a reference in the metric system in a rule or local law unless the reference replaces a reference in the customary system.
- (c) As much of a rule or local law adopted in violation of Article 3 as relates to references to physical quantities subject to this Act is invalid for all purposes.

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## Comment

l. Subsection (a) is intended to make clear that the Act is exclusive and plenary insofar as changes in law (except changes in court rules, which are excluded from the definition of "rule" in Section 103 and are covered by Section 308 (Alternative B), and statutes, which are covered by Section 309) from customary to metric usage are concerned. As a consequence, for example, the procedures and restrictions of Sections 306 and 307 are made applicable to most proposed changes to metric usage in rules and local laws, so that the administrator may deal with government units which otherwise might attempt to force premature adoption of metric usage, and may insure that when the appropriate time to adopt metric usage has arrived, the usage adopted is consistent with the approved or generally accepted practices adopted for use in other States.

- 2. However, there is no need in general to give the administrator a veto power over metric usage when no preexisting customary usage is to be supplanted, e.g. in the area of environmental standards and controls, where scientifically-based metric usage is already well-established (particulates in grams per cubic meter, etc.). Therefore in this area the Act reaches only questions of metric style under Section 311, e.g. capitalization. For example the change in capitalization in the terms "0.1 MV" and "0.1 mV" effects a change of  $10^9$ ; the former denoting one-tenth megavolt or 100,000 volts, the latter denoting one-tenth millivolt or 0.0001 volt, or a difference of 1,000,000,000 flowing solely from the presence or absence of capitalization of the symbol "M". In such cases it is essential that a court have a clear statutory basis for holding the defective rule or local law to be inoperative in the event the appropriate prefix is not obvious from the context.
- of the Act incorporates by reference the current version and any reissues of a national document such as National Bureau of Standards, Handbook 44, subsequent conversion of the national document to metric usage and the resulting changes in state law will not be affected by this Act. However, an amendment of a rule or local law to delete a reference to a specific customary version of such a document and to substitute a

reference to a specific metric version of the document will be a change subject to the procedures and limitations of the Act.

# SECTION 106. [Scope of Rules and Local Laws.]

Rules and local laws under and appropriate to carry out the purposes of this Act may temporarily:

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- (1) divide this State or any of its political subdivisions into districts or otherwise temporarily classify the objects of regulation, and
- (2) fix different effective dates in each district or with respect to different objects of regulation with respect to the same rule or local law.

#### Comment

Experience in other countries has revealed that metric usage may in certain cases be introduced on a progressive basis, e.g. shopping center by shopping center or gasoline pump by gasoline pump. Accordingly, it may be necessary for the applicable state and local laws to distinguish between areas which have converted and those which are still trading in the customary system. For example, under this section a rule under Sections 302 and 304 could provide that an excise tax of 0.53 cents per kilowatt-hour shall be 0.147 cents per megajoule with

respect to energy measured by a meter calibrated in joules, the SI unit for energy; or a rule under Section 405 could provide that all scales for weighing out food and other goods at point of sale in the Fifth Ward of "X County" shall be calibrated in kilograms after a specified conversion date. Rules subdividing the State ordinarily would not be "appropriate" if applied, for example, to prepackaged goods which are normally distributed on a state-wide basis.

#### ARTICLE II ADMINISTRATION

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SECTION 201. [Administration Generally.]

# [Alternative A]

[The Governor by executive order shall designate an administrative [department] to be responsible for the general administration of this Act.]

# [Alternative B]

[The [name of department or other executive agency] is responsible for the general administration of this Act.]

#### Comment

If Alternative B is adopted in the jurisdiction, the definition of "administrator" in Section 103 should be revised to read "'Administrator' means the head of the [name of

department or other executive agency designated in Section 201]."
See comment to definition of "administrator" in Section 103.

# SECTION 202. [Interagency Metric Committee.]

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- (a) There is created an interagency metric committee, which consists of the number of representatives of state and local officials and agencies determined by the administrator to be appropriate to carry out the purposes of this Act. The representatives shall be designated by or in the manner provided by rule adopted by the administrator.
- (b) The committee shall advise the administrator and other state or local officials in the exercise of their powers under this Act and shall serve as the principal medium within this State for exchanging information on governmental action affecting conversion to the metric system of measurement.

#### Comment

The Interagency Metric Committee is intended to be composed of full-time officers or employees of state and local government (who, of course, would not necessarily be assigned full-time to the work of the committee). The rules adopted by the administrator could provide, for example, that each head of an executive department or other agency shall appoint his or her representative to the committee, or that the administrator

shall appoint all members of the committee, or that some combination of these or other methods of selection shall be used.

# SECTION 203. [Metric Advisory Council.]

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- 2 (a) There is created a metric advisory council constituted as follows:
  - (1) The Governor shall appoint to the council one or more representatives of the interagency metric committee, one or more representatives of industry, small business, science, engineering, labor, education, consumers, local government officials and interstate coordinating bodies, and any other persons the Governor determines to be appropriate to carry out the purposes of the Act.
- 11 (2) The [presiding officer of the state senate] shall
  12 appoint 2 members of the [state senate] [one of whom is not
  13 of the same political party as the [presiding officer]].
- (3) The [presiding officer of the state assembly]

  shall appoint 2 members of the [state assembly] [one of whom

  is not of the same political party as the [presiding officer]].
- 17 (b) The metric advisory council shall:
- 18 (1) serve as the principal medium within this State

for exchanging information on conversion to the metric system of measurement;

- (2) provide appropriate procedures whereby various groups, under the auspices of the council, may formulate and recommend to the council and to the administrator specific programs for the coordination and conversion of any industry or segment thereof to the metric system within this State; and
- (3) take into account activities in the private and public sectors, so as not to duplicate unnecessarily those activities.
- (c) Participation in procedures adopted by the council under this Act, or in a program developed under this Act and approved in writing by the administrator as consistent with the public interest and the purposes of this Act, does not violate the [state antitrust act] if written notice has been given to the Attorney General of the adoption of the procedures or the approval of the program and the Attorney General has not within 30 days after the administrator sends such notice, filed with the administrator specific written objections to the procedures or program.

#### Comment

l. The Metric Advisory Council is the umbrella

organization which is concerned with all aspects of metrication within the State, both private and public. The Interagency Metric Committee is in one sense a subcommittee of the council, although technically not subject to its direction.

- 2. Although nine catagories are mentioned in subsection (a)(1) they do not imply that nine or any other specific number of members of the council are contemplated, since one individual might well represent adequately two or more interests.
- 3. It is assumed that the law of the jurisdiction contains generalized provisions relating to quorum, compensation (if any), reimbursement of expenses, etc. applicable to the council. Otherwise the section should be expanded to cover these subjects or a new section covering the subject should be added to Article 2.
- 4. If a State has a statute comparable to the Federal Trade Commission Act (38 Stat. 717; 15 U.S.C. § 41 et seq.) subsection (c) should be modified to include notice to and objections by the appropriate State agency.

# SECTION 204. [General Powers.]

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The administrator may adopt rules necessary to implement this Act.

#### Comment

This general power is limited by Section 104, which provides that the Act does not authorize the imposition of any new or modified regulatory requirement except as required to facilitate voluntary conversion to the metric system or as expressly provided in Articles 3 and 4 of the Act. This section is, of course, not an express provision within the meaning of Section 104 since this section is located in Article 2.

# ARTICLE III CONVERSION OF REFERENCES IN LEGAL DOCUMENTS

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SECTION 301. [Status of Customary System.]

Subject to the applicable acts of Congress, any statutory provision contingently repealed by Section 503(b) or a reference in any rule or local law expressed in the customary system of measurement continues to be effective in accordance with its terms until replaced under this Article by a reference expressed in the metric system of measurement.

#### Comment

l. Section 3569 of the Revised Statutes (15 U.S.C.
§ 204) provides as follows:

It shall be lawful throughout the United States of America to employ the weights and

measures of the metric system; and no contract or dealing, or pleading in any court, shall be deemed invalid or liable to objection because the weights or measures expressed or referred to therein are weights or measures of the metric system.

2. Section 3570 of the Revised Statutes (15 U.S.C.
§ 205) provides as follows:

The tables in the schedule annexed shall be recognized in the construction of contracts and in all legal proceedings as establishing, in terms of the weights and measures on June 22, 1874, in use in the United States, the equivalents of the weights and measures expressed therein in terms of the metric system; and the tables may lawfully be used for computing, determining, and expressing in customary weights and measures the weights and measures of the metric system.

The tables referred to have been augmented by announcements and tables published from time to time by the Department of Commerce and its agencies. See National Bureau of Standards, U.S. Department of Commerce, Special Publication No. 447, Weights and Measures of the United States, a Brief History (1976), Appendices 4, 5, 8 and 9. See also 24 F.R. 5348 (July 1, 1959); 33 F.R. 10755 (July 27, 1968); 40 F.R. 4954 (February 3, 1975); 42 F.R. 56513 (October 26, 1977).

3. The Fair Packaging and Labeling Act ("FPLA") § 4 (P.L. 89-755; 80 Stat. 1296; 15 U.S.C. § 1453) requires the use of specified customary units on any packaged consumer

commodity distributed 'other than for export) in interstate or foreign commerce. The Federal Trade Commission (FTC) and the Food and Drug Administration of the Department of Health, Education and Welfare are authorized by FPLA § 5(b) (15 U.S.C. § 1454(b)) to exempt specific commodities from the requirements upon such conditions as the agency determines to be consistent with the policy of the FPLA, and upon a finding that such application is unnecessary or impractical. See, e.g. 16 C.F.R. § 500.21 (1976) (general FTC permission to use dual labeling, i.e. metric in addition to customary); 16 C.F.R. 501.1 (1976) (camera film); 21 C.F.R. § 1.24(b)(1977) (certain veterinary drugs sold over-the-counter).

4. Section 503(b) repeals contingently as much of all existing state statutes as contain customary references.

Under Section 301 the contingent repeal takes effect when a superseding metric reference is adopted administratively under Section 302(a). By thus eliminating the customary reference through direct legislative action, the Act avoids the substantial questions of delegated power which would arise in certain jurisdictions if the Act purported to permit the administrator by rule to amend a preexisting provision. Under the Act the rule adopted by the administrator fills a void in the law which arises simultaneously with the adoption of the rule by reason of the expiration of the preexisting statutory provision by

its own limitation, as expressed in Section 301. See also comment 7 to this section and the comments to Section 503.

- 5. In general the considerations discussed in the preceding comment do not arise where rules or local laws are amended, and therefore Section 301 contemplates a direct amendment of the affected rule or local law. However, such provisions may require modification in jurisdictions where the Legislature may not legislate with respect to local laws of, e.g., home rule charter municipalities.
- 6. The effect of Section 105 is to preempt all prior authority to convert rules and local laws to metric usage, and the language of this section not only fixes a limitation when the customary usage expires, but also mandates that the customary usage be continued until changed under this Act. Nothing in the Act (except Section 312) affects preexisting authority to make changes from one customary reference to another, e.g. from "3.0 feet" to "3.5 feet." However, a court would be expected to recognize that a change stated in terms as being from "3.0 feet" to "3.281 feet", for example, actually results in replacing "3.0 feet" with "1.0 meter", and can only be accomplished under the exclusive procedures of Article 3.
- 7. If the drafting technique described in comment 2 to Section 503 is utilized, the words "a reference in any

statute, rule," should be substituted for the words "any statutory provision contingently repealed by Section 503(b) or a reference in any rule" in Section 301. See also comment 6 to Section 302.

# SECTION 302. [Numerical References in State Laws.]

- (a) The administrator by rule may set forth with respect to any statutory provision contingently repealed by Section 503(b) a reference expressed in the metric system of measurement, which for all purposes replaces the corresponding reference in the customary system of measurement. The rule shall be treated as restating in full the applicable text of the statute containing the reference in the customary system other than the replaced reference. A rule adopted under this subsection shall be enforced in the same manner and under the same penalties, if any, as the statute containing the reference it replaces [and shall be published in the ... manner ....]
- (b) The administrator by rule may amend any rule by replacing a reference expressed in the customary system with a reference expressed in the metric system.
- (c) Where primary responsibility for administering a statute or the authority to originally adopt a rule covered by this section is vested in an officer or agency of this State other than the administrator, rules under this section relating

to that state law may be adopted by the administrator only with the written approval of that officer or agency.

#### Comment

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- 1. A State that has not adopted the Revised Model State Administrative Procedure Act with respect to rule making activity of the administrator designated for the purposes of this Act, or similar provision for the official publication of rules, should expand the bracketed text in subsection (a) to provide for official publication of rules adopted under that subsection.
- 2. The operation of subsection (a) may be understood from the following example. Assume that a jurisdiction has a Code § 2-201 which reads as follows:
  - "§ 2-201. Fish Pond Warning Notice.
  - (a) Every owner of a pond more than 3 feet deep shall post a warning notice at least 6 feet from the edge of the pond containing the words 'WARNING DEEP WATER' in letters at least 4 inches high.
  - (b) A person who violates this section commits a misdemeanor of the third degree."

The rule adopted by the administrator could provide as follows:

"Under authority conferred by Section 302 of the Uniform Metric System Procedures Act the references in the customary system of measurement in the [code] sections or subsections listed in column A which have been expressed by the statutory provisions set forth in column B are replaced by the corresponding references in the metric system set forth in column C, effective January 1, 19\_:

Column A Column B Code Section Customary Statutory Provision		Column C Metric Reference	
* * *	* * *	* * *	
2-201(a)	3 feet	l meter	
	6 feet	<pre>2 meters (new construction) 1.8 meters (all others)</pre>	
	4 inches	10 cm	
* * *	* * *	* * * "	

The effect is to create a rule of law punishable under Code § 2-201(b) which rule of law reads as follows:

"Every owner of a pond more than 1 meter deep shall post a warning notice at least 2 meters (1.8 meters, in the case of notices in place

on January 1, 19\_\_) from the edge of the pond containing the words 'WARNING - DEEP WATER' in letters at least 10 cm high."

Nothing in the Act deals with the subject of the integration of the administrator's action with the topical statutory law codification published for the jurisdiction. A wide variety of techniques are available to deal with the subject (e.g., bracketed text, footnote references, cross-reference notes, revisor's editorial amendments, etc.) and uniform treatment appears neither necessary nor feasible. Of course, when the legislature next reaches Code §2-201 for periodic revision, the provision would be reenacted in metric terms, and would no longer be subject to Section 302.

- 3. The 3 feet depth in the example could be readily rounded to 1 meter (an increase of 3.37 inches) since presumably all 36 inch deep ponds are in compliance, and therefore a rounding to 39.37 inches, which is within the 12.5 percent authorized limit of Section 304, would not render illegal any prior conduct or require any resurvey of pond depths.
- 4. The 6 foot boundary limit in the example should not be blindly rounded to 2.0 meters, because that requirement, while within the 12.5 percent authorized limit of Section 304, would produce a requirement of 6.56 feet. Adoption of a general

- administered or will have been originally adopted by an agency other than the administrator, e.g. the statutes and rules applicable to public utilities will be administered by the state public utility commission. In such cases the administrator may not replace any reference in the public utility statute or in the rules of the public utility commission without the approval of the public utility commission. The public utility commission or other agency could not forever prohibit the introduction of metric usage, because ultimately the state weights and measures agency could terminate the use of customary

measures in trade applicable to utility service by appropriate proceedings under and subject to the limitations of Sections 306, 307 and 405(a)(6). At that point the public utility commission would find it necessary to agree to some type of metric usage for the sale of utility services.

6. If the drafting technique described in comment 2 to Section 503 is utilized, Section 302(a) should be revised to read as follows: "The administrator by rule may set forth, with respect to any statutory reference in the customary system of measurement which is expressly subject to conversion to the metric system of measurement under this subsection, a reference expressed in the metric system, which for all purposes replaces the corresponding reference in the customary system. A rule adopted under this subsection [shall be published in the ... manner ....]" See also comment 7 to Section 301.

# SECTION 303. [Numerical References in Local Laws.]

The governing body of a political subdivision may amend any local law by replacing a reference expressed in the customary system of measurement with a reference expressed in the metric system of measurement.

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#### Comment

In certain jurisdictions the Legislature may not have

constitutional authority to specify the powers of home rule charter and similar local government units.

# SECTION 304. [Rounding.]

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A reference to a physical quantity as expressed in the metric system of measurement under this Act may differ only as follows from the reference to a physical quantity as expressed in the customary system of measurement it replaces:

- (1) Within the lesser of one cent in money value or one percent of the physical quantity expressed in the customary system, in the case of a fee, tax, levy, or other charge imposed or required by or under law or a rate or price or the practices relating thereto regulated by or under law.
- (2) Within 12.5 percent of the physical quantity expressed in the customary system, in any other case.

# Comment

This section fixes the scope of authority delegated to permit rounding. For example, 1.0 kg is equal to 2.2046 lb.; therefore a substitution of 1.0 kg for 2.0 lb. results in a quantity which is slightly more than ten percent larger than the corresponding quantity as expressed in the customary system. An electric energy rate of 5.3 cents per kilowatt-hour (a non-SI unit, see comment 3 to Section 103, above) could be

rounded within the range of 1.486944... to 1.457499... cents per megajoule (MJ), probably resulting in a metric reference of 1.47 cents/MJ. See also Section 402.

# SECTION 305. [Nonnumerical References.]

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If a state or local law refers to a unit expressed in the customary system of measurement, but without any numerical statement associated with that unit, the administrator or governing body may as provided by Section 302 or 303, and subject to the applicable limitations and procedures of this Article, replace that reference with any appropriate reference that does not refer to a unit expressed in the customary system.

#### Comment

- l. This section deals with nonnumerical changes in usage, e.g. changes such as "set forth the area of the farm" for "set forth the acreage of the farm" and "the distance travelled shall be reported" for "the mileage travelled shall be reported."
- 2. In certain jurisdictions this section may require modification along the lines described in comment 7 to Section 301, comment 6 to Section 302 and comment 2 to Section 503.

# SECTION 306. [General Procedure.]

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	(a) The authority conferred by this Act to adopt
rules an	d to amend local laws may be exercised only after public
notice a	nd opportunity for hearing, which shall include notice
to the a	dministrator in the case of proposed action affecting
a local	law, and only if the administrator or the governing
body:	

- (1) finds, in the case of the replacement of a numerical reference in the customary system of measurement, that the reference in the metric system of measurement that replaces a reference expressed in the customary system:
- (i) is consistent with Federal law applicable to the same subject matter and with:
  - (A) recognized practice, in the case of action by a political subdivision; or
- (B) approved practice or generally
  accepted practice, in any other case; and
- (ii) complies with any applicable formal requirements adopted or approved under Section 311;
- 20 (2) states the magnitude of the difference and the 21 reason for selecting the reference adopted, if a numerical

reference in the customary system is replaced and if, as authorized by Section 304, the reference in the metric system is not the exact equivalent of the reference in the customary system it replaces; and

- (3) finds that the adoption or amendment will not impose a burden on or interfere with interstate or foreign commerce or materially interfere with the implementation on a voluntary basis of any program for coordinating metric conversion within this State approved by the United States Metric Board or the metric advisory council and developed under the auspices of the council or an interstate coordinating body.
- (b) The findings and statement required by subsection(a) must be included in or accompany the document by which the action is taken under this Act.
- (c) Subsection (a) does not apply to action under Section 404.

#### Comment

1. This section is drafted on the assumption that the Revised Model State Administrative Procedure Act or its equivalent is in effect as to both state and local action.

Otherwise the draftsman may be required to make appropriate conforming changes or statutory cross references.

2. The term "voluntary" in paragraph (a)(3) is based on the policy adopted by the Metric Conversion Act of 1975 (P.L. 94-168; 89 Stat. 1007; 15 U.S.C. §205a et seq.), which reflects a judgment that a rational transition with minimum obsolescence and expense can be effected by permitting each sector of society to decide whether and when it will convert to metric usage. The voluntary concept does not, however, rule out governmental action (1) dealing with laggards in a sector which is generally converting on a voluntary basis, or (2) reconciling conflicts between a sector which has converted (e.g. shippers) and one which would prefer not to convert (e.g. carriers).

# SECTION 307. [Additional Procedures When Certain Tangible Property Affected.]

(a) The authority conferred by this Act to adopt rules and amend local laws may be exercised so as to affect any building, environmental, fire, health, planning, or safety code or standard, or similar regulatory document having the effect of law, or to otherwise affect the use or utility of equipment, goods, or other tangible property, only if the administrator or the governing body finds that the replacement of the reference in the customary system of measurement by the reference in the metric system of measurement or other action under this Act represents a consensus of affected sectors within

13	this State, including as appropriate, industry, small business,
14	science, engineering, labor, education, consumers, government
15	agencies at the federal, state and local level, interstate
16	coordinating bodies, or any other individuals or groups
17	considered appropriate by the administrator or the governing
18	body to the carrying out of the purposes of this Act. A
19	consensus is reached for the purposes of this subsection when
20	substantial agreement is reached by concerned interests.
21	Consensus implies much more than a simple majority, but not
22	necessarily unanimity.

- (b) The finding required by subsection (a) must be included in or accompany the document by which the action is taken under this Act.
- 26 (c) Subsection (a) does not apply to action:
- (1) recommended by the United States Metric Board
  by formal action after public notice and opportunity for hearing
  or required by or under an act of Congress; or
- 30 (2) under:

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- 31 (i) Section 310;
- 32 (ii) Article 4 (except Section 405); or
- 33 (iii) Section 405(a)(1) or (2), unless

the action under that section relates to tangible property used in the production of or wholesale marketing by the producer or agent of the producer of agricultural or horticultural products.

#### Comment

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The term "consensus" in subsection (a) has a special meaning, which is taken from the usage in voluntary standards-making activities. Generally speaking a voluntary standard is accepted when it represents a consensus of those substantially concerned with the scope and provisions of the standard. A consensus is reached for the purposes of voluntary standards-making when substantial agreement is reached by concerned interests. Consensus in this context implies much more than the acceptance of a simple majority, but not necessarily unanimity, which concept is expressly written into the Act. For example, a law requires an additional brakeman on railroad trains which exceed "3000 feet" (0.9144 km) in length. A proposal is made by the rail industry in connection with railroad metrication that the requirement be rounded to cover trains exceeding "1.0 km" (3,281 feet) in length. If the proposal is not acceptable to the operating railway labor representatives, a consensus will not exist within the meaning of subsection (a), because the brakemen are obviously affected by the change and the longer trains may pose a safety hazard.

A change to "1.0 km", if desired by the industry, would have to be accomplished by the enactment of a statute expressly making the change. If the conversion were from "3000 feet" to "914 meters" such a change could be made in the face of dissent, since the change is merely a language translation rounded to the nearest meter, and would not affect the "use or utility" of railroad trains within the meaning of subsection (a); however compliance with Section 306 would continue to be necessary.

- 2. Under this section the administrator and the metric advisory council are in effect mandated to consider the economic impact of proposed metric conversion action.
- 3. Subsection (c)(1) is intended to forestall Federal preemptive legislation, which would be encouraged if States adopting the Act were disabled from complying with Federal metrication policy because of pockets of local opposition.

  The exemptions of subsection (c) do not, of course, imply that the exempted activities are also exempt from the separate requirements of Section 306.
  - 4. See the comment to Section 405.

SECTION 308. [Court Rules.]

[Alternative A]

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[Court rules and other judicial documents are subject

to amendment by the administrator under this Act in the same manner and to the same extent as other rules.]

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## [Alternative B]

[The [highest court of the state or other statewide rule making body] may, subject to the limitations and procedures of this Article, exercise within the judicial branch the same powers with respect to court rules and other judicial documents as are conferred upon the administrator with respect to state laws by Section 302. The administrator shall make appropriate recommendations for action under this section.]

#### Comment

Alternative A is appropriate in States which have a well-established tradition of legislative superiority in the judicial rule making area. See the comment to the definition of "rule" in Section 103. Alternative B is appropriate in all other cases, and particularly should be included where the highest court of the State or the State judicial council does not have clear authority to amend rules applicable to practice and procedure in lower judicial tribunals.

SECTION 309. [Proposed Legislation.]

[Alternative A]

3	[(a) Any agency regularly drafting legislation shall:		
4	(1) establish procedures to insure that any		
5	legislation prepared by it will:		
6	(i) so far as consistent with this Act,		
7	avoid references in the customary system of measurement; and		
8	(ii) if it contains a reference expressed		
	in the metric system of measurement, conform to any applicable		
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10	formal requirement adopted or approved under Section 311; and		
11	(2) cooperate with the administrator in carrying		
12	out the purposes of this Act.		
12	(b) Failure to comply with subsection (a) does not		
14	affect the validity of a statute.]		
15	[Alternative B]		
16	[The administrator shall review all legislation		
17	introduced into the [Legislature] and advise the appropriate		
18	legislative committees of any amendments necessary to:		
10	<ol> <li>eliminate, so far as consistent with this Act,</li> </ol>		
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20	references in the customary system of measurement; and		
21	(2) conform any reference expressed in the metric		
2.2	system of massyroment to any applicable formal requirement		

adopted or approved under Section 311.]

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# Comment

If the jurisdiction has no legislative drafting agency, Alternative B should be used.

# Section 310. [Proposed State Regulations.]

- (a) After a date fixed by rule of the administrator, which date may vary as appropriate among executive officers and agencies and programs of this State, and among types of physical quantities, no rule expressing a physical quantity or a unit of a physical quantity in the customary system of measurement may be adopted by an executive officer or agency of this State.
  - (b) A rule adopted under this section:
- (1) May not require that references to a physical quantity expressed in the metric system of measurement be set forth in round numbers.
  - (2) May permit a rule to contain expressions in the customary system for the purpose of permitting or requiring those persons subject to regulation to express a physical quantity or a unit of a physical quantity in the customary system on or in connection with a regulated product or service, if

the executive officer or agency would be authorized to adopt the rule in the absence of this Act.

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#### Comment

A violation of this section renders the rule invalid. See Section 105(c). This section is excluded from the scope of Section 307, since this section relates only to language (or "soft conversion") and not to physical size (or "hard conversion"). The last sentence of the section authorizes the administrator, for example, to permit a state safety agency, assuming it has authority under another statute to require the installation of dual-dimensioned pressure gauges, to adopt a rule such as the following: "Each steamboiler shall be equipped with a pressure gauge displaying the internal pressure in kilopascals and pounds per square inch absolute (p.s.i.a.)."

This section relates only to a case where an officer or agency adopts a new regulatory requirement; Sections 105(a), 301 and 302(b) preempt the power to convert a customary reference to a metric reference in an existing rule, and vest such power exclusively in the administrator.

#### Section 311. [Metric Usage.]

Except as permitted by order of the administrator, any rule or local law adopted after the effective date of this

Act under the authority of this State or its political subdivisions, must conform, if it contains a reference expressed in the metric system of measurement, to rules relating to units, spelling, symbols, capitalization, and similar matters of form adopted or approved by the Secretary of Commerce or the board or, in the absence of those rules, adopted or approved by the administrator on the recommendation of an interstate coordinating body.

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# Comment

- 1. Sections 105(b), 306(a)(1)(ii) and 309 expressly contemplate compliance with any applicable formal requirements adopted or approved under this section.
- 2. See the comment to the definition of "metric system of measurement" under Section 103.
- 3. See the comment to Section 301 for a detailed description of Federal legislation and other action affecting metric usage.
- 4. The principal nongovernment metric standard is
  The American Society for Testing and Materials and The Institute
  of Electrical and Electronics Engineers, An American National
  Standard on Metric Practice (1976), ANSI Z 210.1-1976, ASTM
  E 380-76, IEEE Std 268-1976. Copies may be obtained from The

Institute of Electrical and Electronics Engineers, Inc., 345 East 47th Street, New York, New York 10017.

- 5. The rules of most direct applicability to legal draftsmen are American National Metric Council, Metric Guide for Educational Materials (1977) and American National Metric Council, Metric Editorial Guide (3rd ed. 1977). Copies may be obtained from ANMC at 1625 Massachusetts Avenue, N.W. Washington, D.C. 20036.
- 6. A violation of this section renders the applicable portion of a rule or local law invalid. See Section 105(c).

# Section 312. [Review by Administrator.]

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Except as otherwise provided by rule of the administrator, before any officer, agency, or political subdivision of this State adopts any rule or local law containing a reference to a physical quantity that is inconsistent with recognized practice, a copy of the proposed rule or local law must be filed with the administrator and any comments from the administrator received within 20 days after filing must be considered.

#### Comment

1. The left and right columns of the following table describe the changes in physical quantities with which this

section is concerned ("c" indicates customary system and " $\pi$ " metric system references):

State	Local laws	
By the officer or agency	By the administrator	By the governing body
c to c		c to c
	c to m	c to m, if this Act followed
m to m		m to m
m to c, if m not adopted by admr.		m to c

For example, the adoption of a customary-to-customary change might be inconsistent with recognized practice, if at the time recognized practice contemplates metric usage. This section affords the administrator an opportunity to so advise the governmental body. This section is central to the scheme of the Act. It is feasible to permit governmental bodies to retain the left and right column powers only because they are in effect forced by this section to check with the administrator before acting.

2. The section provides a "safe harbor." Submission to the administrator for comment is not a necessary condition for validity, unless it should develop that the usage is in fact inconsistent with recognized practice. Submission of a

noncomplying text to the administrator under this Section validates the rule or local law under this section, but not under Section 311.

3. A violation of this section renders the applicable portion of the rule or local law invalid. See Section 105(c).

# ARTICLE IV SPECIFIC IMPLEMENTATION PROVISIONS

# SECTION 401. [Education.]

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The appropriate agencies of this State and its political subdivisions, subject to the general direction of the [state board of education or the equivalent], shall provide appropriate programs to familiarize the public with the meaning and applicability of metric terms and measurements in daily life, in a manner consistent with, but not limited to, Section 403 of the Education Amendments of 1974 (P.L. 93-380; 88 Stat. 546; 20 U.S.C. § 1862), relating to metric education.

# Comment

The lead education agency in the State should be inserted in the bracketed space. However, existence of such a lead agency is not intended to imply that other agencies having outreach capability should be overlooked or lack authority under this section.

## SECTION 402. [Regulated Rates and Prices.]

Notwithstanding any other provision of law, an officer or agency of this State, or of any of its political subdivisions, responsible for regulating the rates or prices of goods or services sold or furnished by any person, and of related practices, with the approval of the administrator may permit the person to file and make effective upon 30 days' public notice and without compliance with otherwise applicable procedures, a superseding schedule of rates, prices, or practices expressed in the metric system of measurement, if the resulting rates or prices are expressed in a manner consistent with recognized practice and are rounded within the lesser of one cent in money value or one percent of the physical quantity expressed in the customary system of measurement.

## Comment

See comment to Section 304.

#### SECTION 403. [Codes, Standards, Etc.]

The administrator by rule may fix one or more dates after which no map, plan, specification, or other document may be accepted for filing by an officer, agency, or political subdivision of this State under a building, environmental, fire, health, planning or safety code or standard, or similar document

expressed in the metric system of measurement, or, if recommended by the United States Metric Board by formal action after public notice and opportunity for hearing or required by or under an act of Congress, solely in the metric system.

#### Comment

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Experience in other countries indicates that authority of this type is necessary in order to coordinate conversion in, inter alia, the construction industry. Absent Federal direction (see comment to Section 307(c)(1)), this section does not authorize a rule requiring that the references be solely in the metric system; only that at least dual dimensioning be used, i.e. metric and customary dimensions. Rules adopted under this section are subject to the procedures of Section 306 but not Section 307. See Section 307(c)(2)(ii).

# SECTION 404. [Procurement.]

The administrator, with the approval of the interagency metric committee, may adopt rules for the use of references in the metric system of measurement in the procurement of goods and services by officers, agencies, and political subdivisions of this State. An officer, agency, or political subdivision of this State may use references in the metric system in connection with the procurement of goods and services unless

prohibited by rules adopted under this section.

# Comment

Rules adopted under this section are not subject to the procedures of Section 306 because experience has shown that sellers are capable of utilizing the metrication process as an instrument of free competition which ought not to be subject to the detailed procedures of that section. Absent a countervailing rule by the Administrator, an agency could attilize a specification containing solely metric references.

# SECTION 405. [Weights and Measures.]

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- (a) The [state weights and measures agency], with the approval of the administrator, by rule may fix one or more dates after which:
- (1) no new weighing or measuring device of a specified type calibrated or graduated in the customary system of measurement will be certified for use in trade;
- (2) no existing weighing or measuring device of a specified type calibrated or graduated solely in the customary system will be recertified for continued use in trade:
- (3) packages of a specified type manufactured after the effective date of the rule that are otherwise required to

bear a declaration of content must bear a declaration of content expressed in the metric system of measurement;

- (4) packages of a specified type manufactured after the effective date of the rule that are otherwise required to bear a declaration of content must bear a declaration of content expressed solely in the metric system;
  - (5) units of a physical quantity expressed in the customary system may not be displayed (except in connection with rates or prices) or advertised in connection with a specified type of trade; and
  - (6) units of a physical quantity expressed in the customary system will not be legal for a specified type of trade.
  - (b) The [state weights and measures agency] with respect to any goods and services not within the scope of subsection (a) that are otherwise subject to a declaration of quantity requirement may provide by rule that the declaration of quantity with respect to the goods or services specified in the rule must be expressed:
- (1) in both the metric system and the customary system; or
  - (2) solely in the metric system.

#### Comment

- the procedures of Section 306. The consensus requirement of Section 307 is generally applicable to this section; the requirement is, however, generally not applicable to the adoption of a rule under paragraph (a)(1) or (2) because such a rule would be adopted in the exercise of the authority of the state weights and measures agency to prescribe the nature and extent of the validation services which it will provide, but Section 306(c)(2)(iii) does make such procedures applicable if the action relates to tangible property used in the production of or wholesale marketing by the producer or agent of the producer of agricultural or horticultural products.
- 2. See Section 103 for definition of the term "weighing or measuring device," which excludes containers.
  - 3. See Section 406 as to display of rates or prices.

SECTION 406. [Deceptive or Confusing Practices.]

The [state weights and measures agency], after consulting with the metric advisory council and with the approval of the administrator, by rule may prohibit any deceptive trade practice or seek to minimize consumer confusion that may arise in connection with conversion to the metric system of

measurement. Rules under this section may not cover any subject within the scope of Section 405. They may include provisions requiring or authorizing a person who uses a measurement unit for trade to provide and display the equivalent value in the other system of measurement and appropriate conversion factors or tables, and prohibiting the display of rates or prices established by reference to a physical quantity expressed in the customary system of measurement.

#### Comment

Rules adopted under this section are not subject to the procedures and limitations of Section 307. See Section 307(c)(2)(ii). The exclusion of rules within the scope of Section 405 is intended to make clear that the applicability of Section 307 cannot be avoided by claiming that a rule is adopted under the authority of Section 406 rather than under Section 405.

# SECTION 407. [Penalty.]

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A person who violates any rule adopted under Sections 403 through 406 commits [type of offense and penalty].

#### Comment

l. Appropriate language should be inserted indicating which grade or grades of penalties are applicable to violations

of the rules under this Act.

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2. The draftsman should consider whether any cross reference to an enforcement scheme of the type mentioned in comment 4 to Section 203 is appropriate.

### SECTION 408. [Injunction.]

The administrator or the [state weights and measures agency] may bring and maintain a civil action to restrain any person from violating a rule adopted under Sections 403 through 406.

### [SECTION 409. [State Plane Coordinate System.]]

[The administrator by rule may take such action as may be necessary to recognize and implement (including changes in arbitrary numeric constants assigned to the origin) within this State revised state plane coordinates developed by the National Geodetic Survey in the metric system of measurement.]

### Comment

- 1. This section should be adopted by those states which have enacted legislation which recognizes the use of state plane coordinates (on the North American Datum of 1927 and in feet). See 42 F.R. 15943 (March 24, 1977).
  - 2. Rules adopted under this section are not subject

to the limitations of Section 307. See Section 307(c)(2)(ii).

## ARTICLE V MISCELLANEOUS PROVISIONS

1	SECTION 501. [Uniformity of Construction and
2	Application.]
3	This Act shall be applied and construed to effectuate
4	its general purpose to make uniform the law with respect to
5	the subject of this Act among states enacting it.
1	SECTION 502. [Severability.]
2	If any provision of this Act or its application to
3	any person or circumstances is held invalid, the invalidity
4	does not affect other provisions or applications of the Act
5	that can be given effect without the invalid provision or
6	application, and to this end the provisions of this Act are
7	severable.
1	SECTION 503. [Repeal.]
2	(a) The following acts and parts of acts are repealed:
3	(1)
4	(2)
5	(3)

### [Alternative A]

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7	[(b) Those provisions of the following [code] sections
3	that constitute references expressed in the customary system
•	of measurement are repealed effective as provided in Section
.0	301:]

[insert list of statutory citations]

### [Alternative B]

[(b) Statutory provisions that constitute references expressed in the customary system of measurement are repealed effective as provided in Section 301.]

### Comment

1. This is an unusually important section and the draftsman should not treat it in a perfunctory manner.

Ordinarily a jurisdiction will not have any existing statutes on metric conversion which should be listed for repeal, although a few jurisdictions have enacted legislation on topics covered by Sections 202 and 203. Legislation of this type should be listed for absolute repeal in subsection (a). However, an important requirement arises under Section 301, which is drafted on the assumption that Section 503(b) will have contingently repealed the relevant statutory provisions containing references

in the customary system of measurement. In those jurisdictions where a general repealer procedure is available Alternative B of Section 503(b) may suffice. Otherwise it may be necessary to identify, by computer search or manually, all statutory provisions which contain measurement-sensitive terms (a list of such terms appears in comment 3, below). Alternative A of Section 503(b) contemplates the listing of the resulting code sections in a table following the language of Alternative A. Where a precise repeal is mandated by local practice, the following approach could be used in the table (referring to the example in comment 2 of Section 302): "As much as reads as follows '3 feet', '6 feet' and '4 inches' of Code § 2-201(a)."

2. In certain jurisdictions the applicable practice or constitutional restrictions may require that the full text of each affected code section or subsection be reenacted and republished in full with amendatory language which expressly authorizes the administrator to replace the customary reference with a metric reference. In such cases all affected code sections could be listed for amendment in appropriate paragraphs of Section 503(b) according to the following approach (referring to the example in comment 2 of Section 302):

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(266) Code § 2-201 is amended to read:

'§ 2-201. Fish Pond Warning Notice.

- (a) Every owner of a pond more than 3 feet, or such superseding metric dimension as may be set forth under [Section 302(a) of the Act], deep shall post a warning notice at least 6 feet, or such superseding metric dimension as may be set forth under [Section 302(a) of the Act], from the edge of the pond containing the words "WARNING DEEP WATER" in letters at least 4 inches, or such superseding metric dimension as may be set forth under [Section 302(a) of the Act], high.
- (b) A person who violates this section commits a misdemeanor of the third degree.'

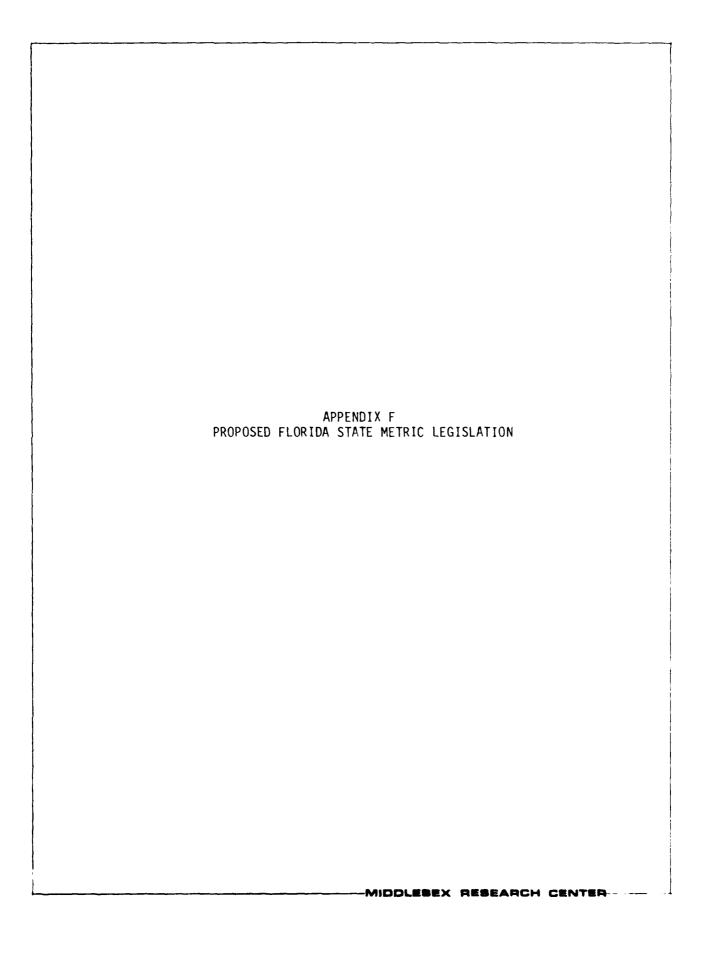
\* \* \*"

See also comment 7 to Section 301 and comment 6 to Section 302.

3. The following is a partial list of non-SI measurement-sensitive terms frequently found in statutes and other laws:

acreage
acreage-poundage
acre(s)

fathom(s) minim(s)
fine troy ounce(s)
foot (feet) peck(s)



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# PROPOSED LEGISHATION



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An Act relating to metric conversion; facilitating voluntary conversion to the metric system of measurement; providing definitions; providing regulatory authority; providing interstate coordination; designating responsible agency; creating the Florida Metric Council providing powers and duties; providing guidance for changes in references to measurements and measurement language in existing laws; authorizing metric conversion in local ordinances; providing for public hearing; providing legislative guidelines; limiting dates for amending or adopting rules; providing date of repeal; providing severability; providing effective dates.

Be it enacted by the Legislature of the State of Florida:

- Section 1. Intent. It is the intent of the Legislature that the policy 16 of the State of Florida shall be to allow and foster the use of the matric 17 system as the primary system of physical measurement and measurement language 18 on a voluntary basis.
  - Section 2. Definitions. As used in this Act the following definitions shall be used:
    - (1) "Council" means the Florida Metric Council.
- (2) "Board" means the United States Metric Board existing under the 23 Metric Conversion Act of 1975 (PL 94-168, 89 Stat. 1007; 15 USC 205a et seq.).
- (3) "Customary System of Measurement" means measurement by any method 25 other than the metric system of measurement.
- (4) "Metric System of Measurement" means measurement in terms of units 27 and related symbols and practices that are recognized by the Metric Conversion 28 Act of 1975 (PL 94-168, 89 Stat. 1007; 15 USC 205a et seg.).
- (5) "Administrator" means the Secretary of the Department of Administra-30 tion.
  - (6) "Approved Practice" means a practice as approved by an interstate

coordinating body, implemented by government agencies in a naection with your version to the metric system of measurement.

(7) "Interagency Metric Committee" means an organization composed of officers or employees of state and local government agencies which may be set up to advise the Council and be a medium of exchange of information on governmental action affecting conversion of government to the metric system.

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- (3) "Generally Accepted Practice" means a practice that has been found by an interstate coordinating body or by the Alministrator to have been adopted by most sellers and buyers of a particular cormelity or producers and 10 users of a particular service, either generally or in a particular territory, in connection with conversion to the metric system of measurement.
  - (9) "Recognized Practice" means an approved or generally accepted practice that is recognized for use in this state by rule of the Administrator.
  - (10) "Interstat: Coordinating Body" means the United States Metric Board the Mational Conference on Weights and Measures, the American Association of State Highway and Transportation Officials, or any body recognized by the Board as an interstate coordinating body for the purposes of this Act.
- (11) "Local Law" means an ordinance, regulation, or other enactment 19 having the effect of Law, except a state law.
- (12) "Rule" means a statement of general applicability that implements, interprets or prescribes law or policy, or describes the organization, procedure or practice requirements of any state officer or agency, other than 23 the legislature or the courts as intended by Chapter 120, Florida Statutes. 24 The term includes the amendment or repeal of a prior rule.
- (13) "Authorized Limits" means with respect to a difference in measurement between a physical quantity as expressed in the metric system of measure-25 ment under this Act and as expressed in the customary system of measurement:
- 28 (a) Within the lesser of one cent in money or one percent of the physical 29 quantity express in the customary system, in the case of a fee, tax, levy, or 30 other change imposed or required by or pursuant to law or a rate or price or 3) the practices relating therto regulated by or pursuant to law.

- (b) Within 12.5 percent of the physical quantity expressed in the customary system, in any other case.
- Section 3. Regulatory Authority. The imposition of any new or increased regulatory authority shall not be authorited except an expressiy provided in this Act.
- Section 4. Interstate Coordination. This Act shall be estimistered based on the principle of voluntary conserving to the matric system of measurement in Florida and shall be coordinated with developments in other state.
- Section 5. Administrator. The Departs of Administration is respon-10 sible for the administration of this Act.
- Section 6. Florida Metric Council. The Florida Metric Council is here'y created and shall be composed of mineteen (19) remisers as follows:
- (1) The Governor shall appoint to the Council one representative from industry, small business, science, engineering, consumers. I cal governor at officials, and one representative from an interagency petroe or mittee which may be formed pursuant to this Let, and any three (3) other persons the Governor determines to be appropriate to every cut the purposes of this Act.

  Two members of the Senate who are not of the same political party shall
- Two members of the Senate who are not of the same political party shall be appointed by the President of the Senate.
- Two members of the House who are not of the same political paney shall be appointed by the Speaker of the house.
- (2) Terms of office for council members shall be two years. The Covernor may remove any member for warse and shall fill all vacancies.
- (3) The members of this Council shall receive no compensation for their services, except that they may receive per diem as provided in a. 117.001, cml their legal travel expenses when actually engaged on the business of this louncil.
- 28 Section 7. Powers and Duties of the Florida Metric Courtil:
- 29 (1) The Florida Metric Council shall:
- (a) Sorve as the principal medium within the state for exchanging and a meaning on conversion to the metric system of meaningement with a book, local,

state, private and public parties;

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(b) Utilize the 1978 Florida Metric Plan as the release roms to in are the orderly conversion to the macrie system of a sessionment;

- (c) Revise the 1978 Florida Petric Plan as necessary;
- (d) Receive and award funds to accomplish the purposes of the Act;
- (.) Provide executive direction and maintain necessary staff to accomblish the purposes of the Act;
- (f) Fork with House and Senato standing committees to review lemislation to remove legal burriers to the voluntary come raion to the Matrix System:
- (g) Elect a chairman, vice-chairman and recreatary annually, adopt any necessary Bylaws and other necessary operational guidelines;
- (h) Act at all times in cooperation with and under the general supervision and the departmental policies adopted by the Administrator;
- (i) Submit to the Administrator an annual report which clearly states the extent of metric conversion in Florida with any necessary recommendations which may futher the purposes of this Act. The Administrator shall submit the said report along with any needed recommendations to the Gayarner for his 19 approval and transmittal to the Florida Legislature;
- 20 (j) Provide appropriate procedures whereby various groups, under the 21 auspices of the Council, may formulate and rescribend or surrest to the council specific programs for the coordination and conversion of any inhastry 22 or segment thereof to the metric system within Florida; 23
  - (k) Take into account activities in the private sector and rubblic sector, so as not to unnecessarily dapticate their activities.
- (1) Serve as the primary communications vehicle on metric matters 27 between Florida, the Pourd and all other intradate only interestate hears and organizations.
- (2) The Florida Metric Council may: E (abilish an interagency metric 29 30 committee responsible to the chairman of the Council and shall be commissed of mistate and local governmental officials who should be responsible for

performation and planning specific petric scaversion in the various governprestal approies.

rection 0. Legal References. Subject to the applicable acts of Congress (PL 94-108, 89 Stat. 1797, 15 USC 205a req):

- (1) A reference in any state stitute expressed in the customary system of reasurement continues to be effective in accordance with its terms until a corresponding reference expressed in the metric system of measurement is adopted under Section 9(1), and
- (2) A reference in any state rule engressed in the customary system continues to be effective in accordance with its terms until replaced by areniment under fection 9(2) or by Section 10 by a reference expressed in the natric system.

Section 9. State Laws and Statutes.

- Council, by rule, set forth for the purpose of any statute, a reference expressed in the metric system of measurement within the 12.5 percent limit of change, which for all purposes shall supermede the reference in the customary system of measurement set forth in the statute. The rule shall be deemed to restate in full the text of the applicable provision of the superseded statute, except as much of the text of the statute as contains a reference in the customary system. A rule adopted under this subsection shall be enforced in the same manner and under the same penalties, if any, as the statute which is supersedes and shall be published in the same manner as all other statutes.
- (2) The Administrator may by rule amend any rule by replacing a reference expressed in the customary system with a reference expressed in the metric system as provided by Chapter 120, Florida Statutes.
- (3) The Administrator may by rule supersede or replace in any State law a reference to a unit expressed in the customary system, but without any numerical statement associated with that unit, with a reference to an appropriate unit expressed in the metric system.
  - (4) Where the primary responsibility for administering a statute or

the authority to odept a rule cover 1); this section is worsed in an efficer or agreey of storida other than the Adalaholizator, rules adopted under this section relating to that state low may be adapted by the Administrator only with the written approval of said officers or agency.

Section 10. Local Laws. The governing Lody of any political bubdivision by ordinance may amend any local law or ordinance in the manner and within the limits provided for in this Act.

- Section 11. Founding. A reference to measurement adopted pursuant to Sections 9 or 10 may be rounded within the limits authorized by this Act.
- Section 12. Public Hearing Procedures. The authority conferred by this Act may be exercised only after public notice and opportunity for hearing and if the Administrator or the political subdivision:
- (1) Finds that the reference in the metric system of measurement which supermedis or replaces a reference expressed in the customary system or measurement is consistent with Federal law applicable to the same subject matter and with:
- (a) Recognized practice in the case of action by a political subdivision; or
  - (b) Approved practice or generally accepted practice in any other case.
- (2) State the magnitude of the differences and the reason for selecting the reference adopted if the reference in the metric system is not the exact equivalent of the reference in the customary system which it supersedes or replaces;
- (3) Finds that the supersession or replacement of the reference in the customary system by the reference in the metric system will not interfere with the due implementation of the metric system of measurement on a voluntary basis of any program for coordinating metric conversion within this state that is approved by the Florida Metric Council or developed under the auspices of the Council or an interstate coordinating body.
- (4) Finds, in the case of action affecting any building, environmental, fire, health, planning, safety or other code or standards, or similar

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regulatory document having the effect of law or, in the case of any other tangible property, that the supercension or replacement of the reference in the customary system by the reference in the metric system represents a consensus of the affected interests of a sector of the State's economy, including but not limited to, as apprepriate, injustry, small business, science, engineering, labor, education, consumers, the construction industry, agriculture and commerce, government agencies at the federal, state, and local levels, interstate coordinating hodies, and any other individuals or groups considered appropriate by the Administrator or the political subdivision for carrying out the purposes of this Act.

Section 13. Court Rules. The Administrator, at the request of the Florida Supreme Court, may recommend amendments to court rules eliminating references expressed in the customary system of measurement from such rules and other judicial documents.

Section 14. Legislative Guidelines. The Legislature shall:

- (1) Establish procedures to insure that legislation hereafter prepared for introduction into the Florida Legislature will:
- (a) Avoid references in the customary system of measurement to the extent practicable;
- (b) Conform to any applicable formal requirements adopted pursuant to this Act, if the legislation contains any ferences expressed in the metric system of measurement.
- (2) Cooperate with the Administrator in carrying out the purposes of this Act.

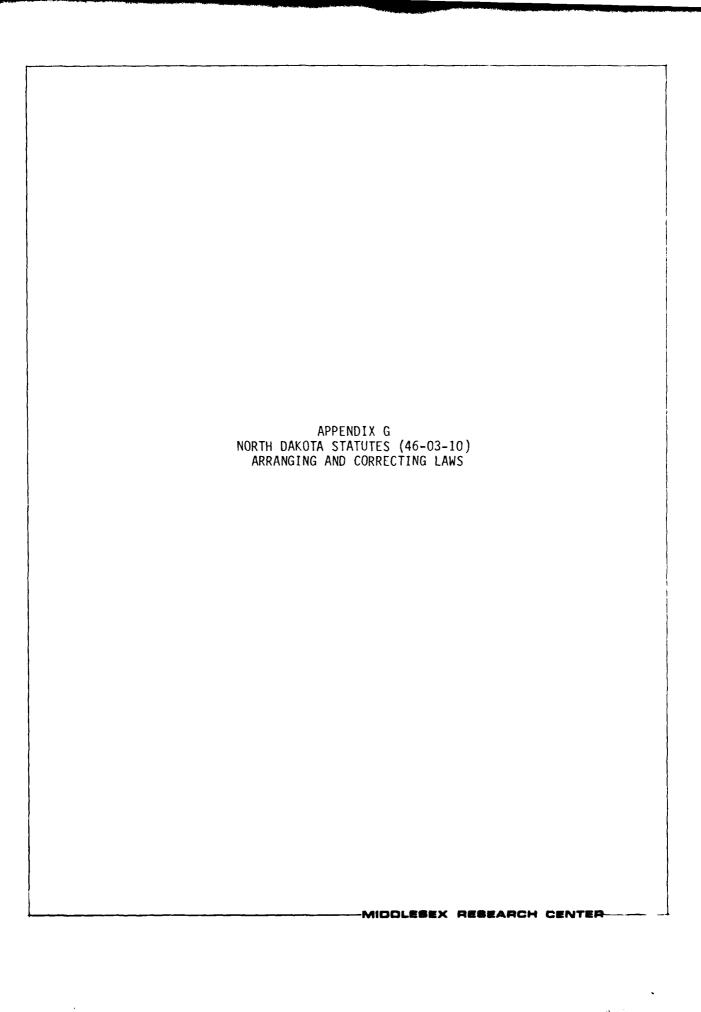
Section 15. Antitrust Provision. Activities which relate only to development of voluntary metric conversion programs generated under this Act do not constitute a conspiracy, combination, agreement, or arrangement; do not violate Chapters 501 and 542, Florida Statutes, if they relate only to carrying out a program developed under this Act that is approved in writing by the Administrator or are consistent with the public interest and the purposes of the Act.

Section 16. Limiting Date for Rules. The Administrator shall excablish a date by rule, which may varying as among offices and agencies and programs of this state and as among types of physical quantities, after which no new or amended rule expressing a physical quantity or a unit of a physical quantity in the customary system of measurement may be adopted by an officer or agency of this State.

Section 17. Repeal. This Act is hereby repealed seven years after its effective date unless specifically reenacted by the legislature. Agency rules, court rules, local laws and ordinances, and State statutes adopted, enacted or amended pursuant to this Act shall remain in force and effect after the repeal date established for this Act.

Section 18. Severability. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared severable.

Section 19. Effective Date. This law becomes effective upon its passage.



ch. 219, § 2; R. C. 191°, § 46 2000; S. L. Cross-Reference.

1945, ch. 266, § 1; 1607, ch. 207, § 1; 1917
Supp., § 46-6305; S. L. 1609, ch. 327, § 2. bille, see ch. 54-04.

46-03-06. Calendar of bills and resolutions—Contents—Synopsis—Edited by clerk—Copies furnished on request.—Repealed by S. L. 1973, ch. 369, § 1.

46-03-07. Legislative journals—How printed—Filed with secretary of state.—Repealed by S. L. 1959, ch. 527, § 7.

46-03-08. Journals—How printed.—Repealed by S. L. 1959, ch. 327, § 7.

46-63-69. Journals and laws—Number printed.—Repealed by S. L. 1951, ch. 275,  $\S$  17.

46-03-10. Arranging and correcting laws.—In arranging the laws, memorials, and resolutions for publication, the legislative council shall make such corrections in orthography, grammatical construction, and punctuation of the same as in its judgment shall be proper. When any law published in the code contains a reference to customary weights and measures, the equivalent weights and measures of the metric system shall be added to the law as an insertion. When any such words or clauzes are inserted, the same shall be enclosed in brackets.

Source: Pel. C. 1877, ch. 3, § 2; R. C. 1895, § 77; R. C. 1899, § 77; R. C. 1966, § 77; C. L. 1912, § 102; R. C. 1943, § 46-0310; S. L. 1969, ch. 448, § 18; 1977, ch. 421, § 1.

Note.

Metric measurements inserted in the code are from the National Bureau of

Standards' 1907 Miscellane on Publication 286, "Unite of Weight and Measure". Metric equivalent insertions are rounded off to the reasest two decimal places. Some metric equivalents of two decimal places may be exact, while all metric equivalents of less than two decimal places are exact.

46-03-11. Publication of session laws and pocket supplements.—The secretary of state and the legislative council shall correct ministerial or clerical curors and supervise the publication of the session laws and pocket part supplements to this code in a manner and form prescribed by the legislative council, correlating each year's laws with this code. The secretary of state shall secure a copyright of the session laws of each session of the legislative assembly before the same are distributed for the exclusive use and benefit of the state. The copyright procurement shall be printed in each volume of the session laws.

Source: S. L. 1905, ch. 162, § 1; R. C. 1905, § 78; C. L. 1913, § 103; R. C. 1943, § 46-0511; S. L. 1947, ch. 302, § 1; 1957 Supp., § 46-0511; S. L. 1969, ch. 448, § 19.

Cross-Reference.

Record of vote on constitutional amendment or proposition published with laws, see § 16-15-46.

such violation brought against the other person or participating. Those so testifying shall not be prosecuted for the violation testified to and participated in.

Source: S. L. 1973, ch. 202, § 8.

20.1-01-16. Common carriers not to transport game or fish except during open seasons.—No transportation company or common carrier shall receive for transportation, transport, or attempt to transport any protected game birds, animals, or fish, except during the open season on such birds, animals, or fish.

Source: S. L. 1973, ch. 202, § 8.

Collateral References.

Cross-Reference.

35 Am. Jur. 2d, Fish and Game, § 42.

Common carrier defined, see § 8-07-01.

20.1-01-17. Posting of lands by owner or tenant to prohibit hunting—How posted—Signs defaced.—Only the owner or tenant of any land may post it by placing signs alongside the public highway or the land giving notice that no hunting is permitted on the land. The name and address of the person posting the land and the posting date shall appear on each sign in legible characters. The signs shall be readable from the outside of the land and shall be placed conspicuously not more than four hundred forty yards [402.34 meters] apart. As to land entirely enclosed by a fence or other enclosure, posting of such signs at or on all gates through such fence or enclosure shall be construed to be a posting of all such enclosed land. No person shall in any manner deface, take down, or destroy posting signs.

Source: S. L. 1973, ch. 202, § 8.

Cross-References.

Landowner's consent before posting waterfowl rest areas, see § 20.1-11-11.

Marking of game farms, refuges, management areas, breeding grounds and resting places, defacing signs, see § 20.1-11-10.

Posting of game refuges and management areas, see § 20.1-11-07.

Owner of Lands on Both Sides of Highway.

Where party who owned land adjoining both sides of a section line which had been opened as a highway posted "no hunting" signs on both sides thereof, he showed that he intended to include the highway within the posted area. Rutten v. Wood, 79 ND 436, 57 NW 2d 112.

20.1-01-18. Hunting on posted land and trapping on private land without permission unlawful.—No person shall hunt or pursue game, or enter for those purposes, upon legally posted land belonging to another without first obtaining the permission of the person legally entitled to grant the same. No person shall enter upon privately owned land for the purpose of trapping protected fur-bearing animals without first gaining the written permission of the owner or operator of such land.

Source: S. L. 1973, ch. 202, § 8; 1977, ch. 200, § 1.

20.1-03-09. Application for nonresident general game or fishing license—Contents.—Each application for a nonresident general game or fishing license shall be signed by the applicant and state the applicant's residential address, including street and post office, and his weight, height, color of hair, and color of eyes.

Source: S. L. 1973, ch. 202, § 10; 1977, ch. 207, § 2.

20.1-03-10. Contents of nonresident general game or fishing licenses—Licenses not transferable—Nonresident short-term fishing license.—A nonresident general game or fishing license is not transferable. Each such license shall:

- 1. Describe the licensee.
- 2. Designate the licensee's place of residence.
- 3. Have printed upon it in large figures the year for which it is issued.
- 4. Have printed upon it in large letters the words "nonresident license" and "nontransferable".
- 5. Have connected to it such detachable shipping tags as the commissioner may deem advisable.
- 6. Be issued in the name of the commissioner.

In addition to the regular nonresident fishing license, there is hereby authorized a nonresident short-term fishing license. This license shall be valid up to seven days from date of issue.

Source: S. L. 1973, ch. 202, § 10; 1977, ch. 207, § 3; 1977, ch. 208, § 1.

Notes

Section 20.1-03-10 was amended in an identical manner by section 3 of chapter 207, 1977 S. L. and section 1 of chapter 208, 1977 S. L.

## 20.1-03-11. License to hunt big game required-Limitations on licenses.

- 1. No person shall hunt, kill, take, or attempt to take any big game without having the appropriate big game hunting license and a locking seal bearing a number corresponding to the number of the big game hunting license or stamp. The locking seal shall be issued as an integral part of the big game hunting license. A big game hunting license shall not be sold to, or purchased for, any person under the age of fourteen years. This age limitation does not apply to applicants for big game licenses for hunting by bow and arrow. Each violation of this section shall be a distinct and separate offense.
- 2. The number of licenses issued, including those licenses issued without charge under the provisions of this section, shall not exceed the number of licenses authorized by the governor's proclamation issued pursuant to section 20.1-08-04.
- 3. Upon execution and filing of an affidavit describing a minimum of a quarter section [64.75 hectares] of land owned or leased by any



appropriate permit fee, all applicants must have a resident small game hunting license.

Source: S. L. 1973, ch. 202, § 11.

20.1-04-08. Red, yellow, or orange color to be displayed by hunters of wild turkeys.—Exception.—Every person, while hunting wild turkeys, shall wear a red, yellow, or orange cap, and shall have one hundred forty-four square inches [929.03 square centimeters] of red, yellow, or orange color conspicuously displayed on his back and on his chest. This section shall not apply to any person hunting wild turkeys with bow and arrow during special bow hunting seasons.

Source: S. L. 1973, ch. 202, § 11.

20.1-04-09. Guns lawfully usable in pursuing or taking game birds.—No firearm, except a shotgun not larger in bore than ten gauge [19.69 square millimeters], fired from the shoulder, shall be used to hunt or pursue game birds. No person shall use a rine, pistol, or ball cartridge to hunt or pursue game birds, or to raise or drive game birds from their resting or feeding places, or from any waters of this state.

Source: S. L. 1973, ch. 202, § 11.

Cross-Reference.

Unauthorized methods of taking, see § 20.1-01-05.

20.1-04-10. Shell holding capacity of shotguns used in taking game birds restricted—Plugs authorized.—Any automatic or repeating shotgun authorized for the taking of game birds shall not be capable of holding more than three shells. A one-piece metal or wooden plug may be used to reduce the shell-holding capacity if such plug is incapable of being removed through the loading end of the shotgun.

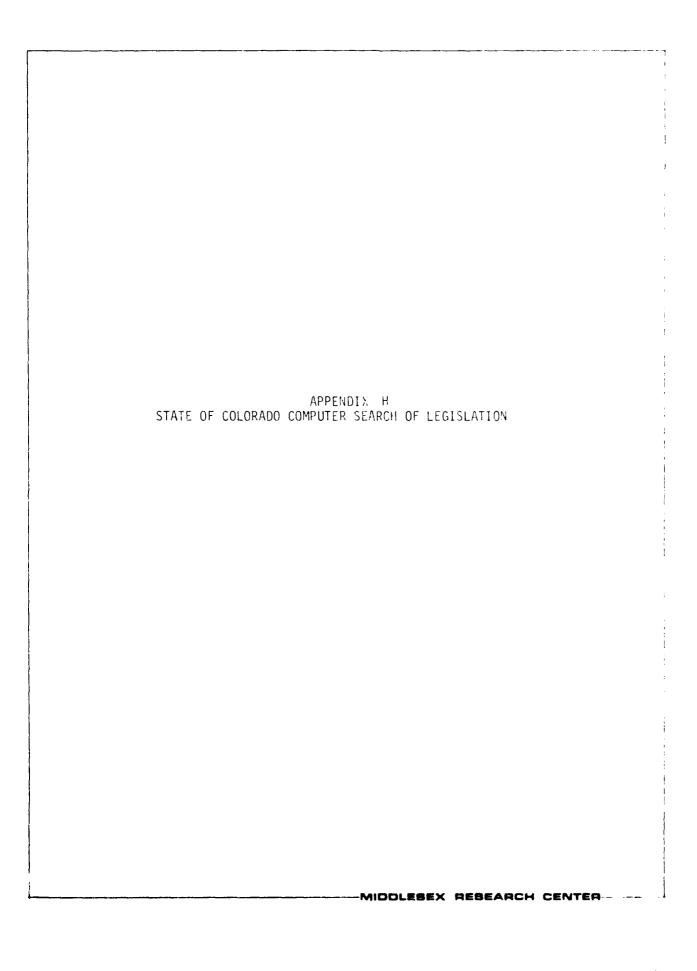
Source: S. L. 1973, ch. 202, § 11.

- 20.1-04-11. Blinds, boats, and decoys lawfully usable in taking ducks and geese.—Wild ducks and geese may be taken:
  - 1. In the open or from a stationary natural or artificial blind or other place of concealment on land or water, except a sinkbox.
  - 2. From a floating craft, excluding a sinkbox, if such craft is beached, or fastened within or tied immediately alongside any type of fixed hunting blind, or from such craft resting at anchor if authorized by governor's proclamation.
  - 3. With the aid of artificial decoys. The use, directly or indirectly, of live duck or goose decoys is not permitted.

A motorboat, sailboat, or other craft may be used to pick up dead or injured birds.

Source: S. L. 1973, ch. 202, § 11.

20.1-04-12. When gun dogs not to be trained or permitted to run loose—Exceptions.—No person, classified as a professional trainer, be-





COMMITTEE ON LEGAL SERVICES.

## The State of Colorado

Direction James C. Wilson, III.

### LEGISLATIVE DRAFTING OFFICE

30 STATE CAPITOL DENVER, COLORAL O 322C3 TELEPHONE 300 339 2045

February 16, 1979

Mr. Joseph L. Pokorney Vice President Middlesex Research Center, Inc. 3413-1/2 M Street, N.W. Washington, D.C. 20007

Dear Mr. Pokorney:

This letter is in response to your inquiry of January 9, 1979 regarding a study of metric measurement and legislation. I am sorry for the delay in responding, but we had to wait for corrections for up-date in our data base before we could run a search. The search you requested is enclosed.

If you need further information or search, please advise and we will be glad to furnish the same.

Very truly yours,

James C. Wilson, Jr.

Director

JCW:db encl.

#1 if minute(s).
#2 if second(s).
when #1 or #2.

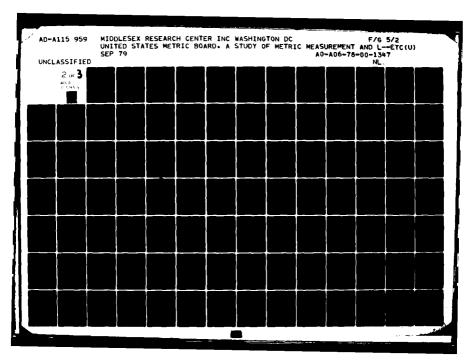
### QUERY STATISTICS

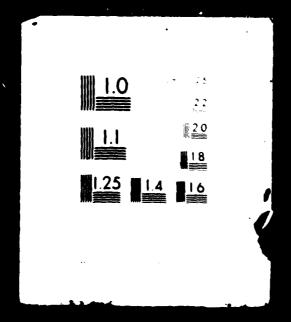
statement	qualifying	qualifying
number	references	sections
#1	238	171
#2	563	330

Result: 801 references qualify in 497 sections.

#1000001400102 TITLE NOevery <u>SECOND</u> year, by the people of the several states; and the electors
#2000001400103 TITLE NO  the SECOND year; of the SECOND class, at the expiration of the fourth that one-third may be chosen every SECOND year; [and if vacancies happen
#3000003400401 TITLE NO
#4000003400413 TITLE NO
#5000003400501 FITLE NO The $\underline{\text{SECOND}}$ power hereby reserved is the referendum, and it may be
#6000003400512 TITLE NO
#7000003400548 TITLE NO
#8000003400609 TITLE NO
#9000003400620 TITLE NOthen until the SECOND Tuesday in January following the next general
#10000003400909 TITLE NO  president of the board and whose office shall expire on the SECOND office shall expire on the SECOND Tuesday of January, 1913, and the of office shall expire on the SECOND Tuesday of January, 1913; and the shall not go into full force and effect until the SECOND Tuesday of
#11000003401212 TITLE NO
#12000003401406 TITLE NO expires in January, 1904, is hereby extended to the SECOND Tuesday in that expires in January, 1906, is hereby extended to the SECOND Tuesday in 1904 shall be extended to the SECOND Tuesday in January, 1905, and hereby extended to the SECOND Tuesday in January, 1907. This section
#13000003401408 TITLE NO
#14SEC. BODY
#14SEC. BODY
#14SEC. BODY
#15SEC. BODY

of the polls but appears at the polling place within thirty $\underline{MINUTES}$ from
#16SEC. BODY $1-3-1$ , (2) the <u>SECOND</u> judge shall deliver the election returns and other election
#17SEC. BODY
#18SEC. BODY
#19SEC. BODY
#20SEC. BODY
#21SEC. BODY
#22SEC. BODY
#22SEC. BODY
#23SEC. BODY
#23SEC. BODY
#24SEC. BODY
#25SEC. BODY
#26SEC. BODY
#27SEC. BODY
#28SEC. BODY
#29SEC. BODY
#30SEC. BODY
#31SEC. BODY





beyond the distance of one hundred  $\underline{\text{MILES}}$ , within twenty days after the

#32SEC. BODY
#33SEC. BODY
#34SEC. BODY
#35SEC. BODY
#35SEC. BODY
#36SEC. BODY
#37SEC. BODY
#38SEC. BODY
#39SEC. CATCH2-3-307.

۲,

#1 if inch(es).
#2 if foot or feet.
#3 if yard(s).
#4 if mile\*,
when #1 or #2 or #3 or #4.

## QUERY STATISTICS

statement number	qualifying references	qualifying sections
<b>#1</b>	271	106
	597	
	39	
	486	

Result: 1,393 references qualify in 492 sections.

#1000001400108 TITLE NOsuch district (not exceeding ten MILES square) as may by cession of
#2000003400506 TITLE NO.  Hembers of the general assembly shall receive the same MILEAGE rate
#3000003401103 TITLE NO
#4SEC. BODY
#5SEC. BODY
#6SEC. BODY
#7SEC. BODY
#8SEC. 800Y
#9SEC. BODY
#10SEC. BODY
#11SEC. BODY
#12SEC. BODY
#13SEC. BODY
#14SEC. BODY
#15SEC. BODY
#16SEC. BODY
#17SEC. BODY
#18SEC. BODY

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and county of Denver and is within five hundred <u>FEET</u> of the southern
#20SEC. BODY
#20SEC. BODY2-2-307. (9) (c) after the same are incurred. MILEAGE rates shall not exceed those
#21SEC. BODY
#22SEC. CATCH2-2-319. compensation or <u>MILEAGE</u> .
#22SEC. BODY2-2-319. compensation nor MILEAGE.
#23SEC. BODY
#24SEC. BODY
#25SEC. BODY
#26SEC. BODY
#27SEC. BODY
#28SEC. BOOY

certificate to erect toll gates, not to exceed one in every ten MILES of
#29SEC. BODY
#308-1-121. (2)  MILEAGE provided for in civil cases in the district court in the county
#31SEC. BODY
#32SEC. BODY8-4-113. call for any appearance at a distance greater than one hundred MILES.
#33SEC. BODY
#348=6-108. (1) shall be paid the same <u>MILEAGE</u> and per diem as are allowed by law to
#35SEC. BODY
#36SEC. BODY
#37SEC. BODY8-12-110. (2) (b) elevated place located ten $\frac{\text{FEET}}{\text{Involving elevations of twenty }}$ or less
#38SEC. BODY
#39SEC. BODY
#40SEC. BOOY8-16-101. (2) (a) Air compressor operator of 750 <u>FEET</u> or over.
#40SEC. BODY
#41SEC. BODY8-20-201. (3) units of two hundred thirty-one cubic <u>INCHES</u> measured at storage or
#41SEC. BODY8-20-201. (5) units of two hundred thirty-one cubic <u>INCHES</u> measured at standard
#42SEC. BODY

#42SEC. BODY8-20-20 or device of such fuel product in type at least two <u>INCHES</u> in (	33. (4) neight.
#43SEC. BODY	at least
#44SEC. BODY	18. (1) ollar.
#45SEC. BODY	ng, or
#46SEC. BODY	hrub
#47SEC. BODY	04. (1) 104 weeks
#47SEC. BODY	ion of the
#48SEC. BODY	07. (2) both l <b>eg</b> s or
#49SEC. CATCH8- 8-53-120. Witnesses and testimony - MILEAGE - fees - co	53-120. sts.
#49SEC. BODY	for
#50SEC. BODY	-1-101. s who <b>may</b>
#51SEC. BODY	11) (a)
#51SEC. BODY	
#51SEC. BODY9-4-10 pounds per square INCH gauge (PSIG).	1. (16)
#52SEC. BODY	
#53SEC. BODY	square FEET
#53SEC. BODY9-4-1 and having more than five hundred square <u>FEET</u> of water-heating	14. (7) surface
#53SEC. BODY	14. (8)

#53SEC. BODY
#53SEC. BODY
#53SEC. BODY9-4-114. (12) one-half INCH pipe size. Each water-gauge glass will be fitted with a
#53SEC. BODY
#53SEC. BODY
#53SEC. BODY
#54SEC. BODY
#54SEC. BODY
#54SEC. BODY9-4-116. (15) one-fourth INCH inside diameter.
#55SEC. BODY
#55SEC. BODY
#55SEC. BODY
#55SEC. BODY
#55SEC. BODY9-4-118. (6) fifteen pounds per square INCH gauge or less is a low-pressure boiler.
#55SEC. BODY
#55SEC. BODY
#55SEC. BODY
#55SEC. BODY
#55SEC. BODY9-4-118. (21)

straightway type with opening not less than one-fourth INCH diameter to
#56SEC. BODY
#569-5-104. (1) (d) (d) A minimum width of sixty <u>INCHES</u> is required for two individuals
#56SEC. BODY9-5-104. (1) (e) INCHES and ranges from fifty-four INCHES to seventy-eight INCHES;
#56SEC. BODY
#57SEC. BODY
#57SEC. BODY9-5-105. (3)

conventional diagonal or head-on parking spaces shall be twelve FEEL
#58SEC. BODY
#58SEC. BODY
V58SEC. BODY
#58SEC. BODY
#58SEC. BODY
V58SEC. BODY9-5-106. (6) (a) (II) (II) Is at least four <u>FEET</u> eight <u>INCHES</u> , preferably five <u>FEET</u> , deep;
758SEC. BODY
758SEC. BODY9-5-106. (6) (a) (IV)  (IV) Has handrails on each side, thirty-three <u>INCHES</u> high and parallel to the floor, one and one-half <u>INCHES</u> in outside diameter, with one and one-half <u>INCHES</u> clearance between rail and wall, and fastened
758SEC. BODY
#58SEC. BODY9-5-106. (6) (c) height as low as practicable and no higher than forty <u>INCHES</u> above the
#58SEC. BODY
#58SEC. BODY9-5-106. (6) (e) higher than forty <u>INCHES</u> from the floor.
#59SEC. BODY
#60SEC. BODY9-5-108. (5) at least eight FEET from the hazard, and warning devices shall be
#60SEC. BODY9-5-108. (7) be avoided. A minimum height of seven <u>FEET</u> , measured from the floor,

#61SEC. BODY
#62SEC. BODY
#63SEC. BODY
#64SEC. BODY
#65SEC. BODY
#66SEC. BODY
#67SEC. BODY
#68SEC. BODY
#69SEC. BODY
#70SEC. BODY
#71SEC. BODY
#72SEC. 800Y
#73SEC. BODY
#74SEC. BODY
#75SEC. BODY
#76SEC. BODY
#77SEC. BODY
#78SEC. BODY
#79SEC. BOOY
#79SEC. BODY12-32-101. (4)

or FOOT, such as by electrodes, lights, rays, vibrators, or in any FOOT.
#79SEC. BODY
#80SEC. BODY
#81SEC. BODY
#81SEC. BODY
#81SEC. BODY
#82SEC. BODY
#82VETOED
#93SEC. BODY
#84525. BODY
#85SEC. BODY
#86SEC. BODY

#87SEC. BODY
#88SEC. BODY
#89SEC. BDDY
#90SEC. BODY
#91SEC. BODY
#91SEC. BODY
#92SEC. BODY
#93SEC. BODY
#94SEC. BODY
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#101SEC. BODY

#101SEC. BODY
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#102SEC. BODY
#103SEC. BODY
#104SEC. BODY
#105SEC. BODY
#105SEC. BODY
#106SEC. BODY
#106SEC. BODY
#106SEC. BODY
#106SEC. BOOY
#106SEC. B00Y
#106SEC. BODY
#107SEC. CATCH
#107SEC. BODY
#107SEC. BODY
#108SEC. BODY
one hundred MILES, the writ shall be returned within ten days and if

beyond the distance of one hundred MILES, within twenty days after the
#109SEC. BODY
#110SEC. CATCH
#110SEC. BODY
#111SEC. BODY
#112SEC. BODY
#113SEC. BODY
#114SEC. BODY
#115SEC. BODY
#116SEC. BODY
#116SEC. BODY
#116SEC BODY
#117SEC. BODY
#118SEC. 800Y
#118SEC BODY
#119SEC. BODY
#120SEC. BODY
#121SEC. BODY
#122SEC. BODY
#123SEC. BODY22-31-122. (2)

paid a <u>MILEAGE</u> allowance, to be set by the board of education but not to exceed ten cents per <u>MILE</u> for each <u>MILE</u> necessarily traveled in excess of ten <u>MILES</u> in going to and returning from the administrative office of
#124SEC. BODY
#125SEC. BODY
#126SEC. BODY
#127SEC. BODY
#127SEC. BODY
#128SEC. BODY
#129SEC. BODY
#130SEC. BODY
#130VETOED
#131SEC. BODY
#132SEC. CATCH
#132SEC. BODY
#133SEC. BODY  fee of fifty dollars, and a fee of ten dollars for meals and <u>MILEAGE</u> at for each <u>MILE</u> actually and necessarily traveled in going to and
#134SEC. BODY
#135SEC. BODY
#135SEC. BODY
#136SEC. BODY

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#137SEC. BODY
#138SEC. BODY
#139SEC. BODY
#140SEC. BODY
#141SEC. BODY
#142SEC. BODY
#142SEC. BODY
#143SEC. BODY
#144SEC. BODY
#145SEC. BODY
#146SEC. BODY
#147SEC. BODY
#147SEC. BODY25-5-307. (2) letters at least one-eighth of an <u>INCH</u> high:
#148SEC. BODY
#148SEC. BODY
#149SEC. BODY
#150SEC. BODY

vehicle for which either gas $\underline{MILEAGE}$ , performance, or other factor would
#151SEC. BODY
#152SEC. BODY
#152SEC. BODY
#153SEC. BODY
#154SEC. BODY
#154SEC. BODY
#155SEC. BODY
#156SEC. BODY
#157SEC. BODY
#158SEC. BODY
#159SEC. BODY
#160SEC. BODY
#161SEC. BODY
#162SEC. BODY
#163SEC. BODY
#164SEC. BODY
#165SEC. BODY29-4-110. (2) which shall be not less than one-quarter <u>INCH</u> nor more than one <u>INCH</u> .

#166SEC. BODY
#167SEC. BODY
#168SEC. BODY
#169SEC. BODY
#169SEC. BODY
#170SEC. BODY
#170SEC. BODY
#170SEC. BODY
#171SEC. CATCH30-1-105. 30-1-105. Constructive <u>MILEAGE</u> not allowed.
#171SEC. BODY
#172SEC. CATCH
#172SEC. BODY
#173SEC. BODY
#174SEC. CATCH
#174SEC. BODY
#175SEC. BODY

**!** 

sheriffs shall be allowed MILEAGE of not less than twelve cents per MILE nor more than the maximum MILEAGE allowance provided for state MILE actually and necessarily traveled in the performance of their
#176SEC. BODY
#177SEC. BODY
#178SEC. BODY
#179SEC. BODY
#180SEC. BODY
#181SEC. BODY
#182SEC. BODY
#183SEC. BODY
#184SEC. BODY
#185SEC. BODY
#186SEC. BODY
#187SEC. BODY
#188SEC. BODY

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#189SEC. BODY
#190SEC. BODY
#191SEC. BOOY
#192SEC. BODY
#193SEC. BODY
#194SEC. BODY
#195SEC. BODY
#196SEC. BODY
#197SEC. BODY

#198SEC. BODY
#199SEC. BODY
#200SEC. BODY
#201SEC. BODY
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#201SEC. BODY
#202SEC. BODY
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#204SEC. BODY
#204SEC. BODY
#205SEC. BODY
#206SEC. BODY
#207SEC. BODY
#208SEC. BODY
#209SEC. BODY

(III) Total number of square <u>FEET</u> of proposed nonresidential floor
#211SEC. BODY
#211SEC. BODY
#211SEC. BODY
#212SEC. BODY
#213SEC. BODY
#214SEC. BODY
#215SEC. BODY
#216SEC. BODY
#216SEC. BODY
#217SEC. BODY
#218SEC. BODY
#219SEC. BODY
#220SEC. BODY
#221SEC. BODY
#222SEC. BODY
#223SEC. BODY
#224SEC. BODY
#225SEC. BODY31-23-309. greater width or size of YARDS or courts, or require a lower height of

regulation require a greater width or size of YARDS or courts, or
#226SEC. BODY
#227SEC. BODY
#228SEC. BODY
#229SEC. BODY
#229SEC. BODY
#230SEC. BODY
#231SEC. BODY
#232SEC. BODY
#233SEC. BODY
#234SEC. BODY
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#236SEC. BODY
#236SEC. BODY
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#238SEC. BODY
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#245SEC. BODY
#245SEC. BODY
#246SEC. BODY
#247SEC. BODY
#248SEC. BODY
#249SEC. BODY
#251SEC. BODY
tracts to be assessed shall be deemed to be the aggregate number of FEET

#252SEC. BODY
#253SEC. BODY
#254SEC. BODY
#255SEC. BODY
#256SEC. BODY
#257SEC. BODY
#258SEC. BODY
#259SEC. BODY
#260SEC. BODY
#261SEC. BODY
#262SEC. BODY

more FEET from which brush, weeds, or other high growth shall be removed
#263SEC. BODY
#264SEC. BODY
#265SEC. BODY
#265SEC. BODY
#265SEC. BODY
#266SEC. BODY
#266SEC. BODY
#266SEC. BODY
#267SEC. BODY
#267SEC. BODY
#269SEC. BODY
#270SEC. BODY
#271SEC. BODY

shall be separated by not less than one hundred fifty $\underline{FEET}$ of distance, and shaft pillars extending not less than one hundred $\underline{FIET}$ from than seventy-five $\underline{FEET}$ on each side of the slopes. Where main slopes $\underline{FEET}$ in width shall be left alongside of slopes throughout their entire
#272SEC. BODY
#273 SEC. BODy. $34-26-118$ . Every escapement shaft under seventy-five <u>FEET</u> in depth which is not contiguous operating mine, it shall not be less than five <u>FEET</u> wide and five and one-half <u>FEET</u> high, and shall be properly graded, drained, and
#274SEC. BODY
#275SEC. BODY
#275SEC. BODY
#275SEC. BODY
#275SEC. BODY
#276SEC. BODY
#276SEC. BODY
#277SEC. B00Y
#277SEC. BODY
#277SEC. BODY
#277SEC. BODY
#278SEC. BODY
#279SEC. BODY
#280SEC. BODY
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#281SEC. BODY
#282SEC. BODY
#283SEC. BODY
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#292SEC. BODY
#293SEC. BODY
#293SEC. BODY
#293SEC. BODY
#293SEC. BODY
#294SEC. BODY
#294SEC. BODY

(c) Selt, chain, or rope drives that are within seven <u>FEET</u> of floor
#294 SEC. BODY
#295SEC. BODY
#296 SEC. BODY
#297SEC. BODY
#298SEC. BODY
#299SEC. BODY
#300SEC. BODY
#301SEC. BODY
#302 SEC. BODY
#302VETOED
#303SEC. BODY
#303SEC. BODY
#303VETOED
#303VETOED
#304SEC. BODY
#305SEC. BODY
#306SEC. BODY

#307 SEC. BODY
#308SEC. BODN
#309SEC. BODY
#310SEC. BODY
#310SEC. BODY
#311 SEC. BODY
#312SEC. BODY
#312SEC. BODY
#313 SEC. BODY $34-4z-116$ . discovery shaft ten <u>FEET</u> deeper than it was at the time of abandorment,
#314 SEC. BODY
#314SEC. BODY34-47-11e. (3) door not less than fifty $\overline{\text{FEET}}$ in from the portal of the tunnel. This
#315SEC. BODY
#316SEC. BODY
#317. SEC. BODY
#318. SEC. BODY
#319SEC. BODY
#320SEC. BODY 35-,4-101 (1) (.) eight hundred twenty-six cubic INCHES,
#320SEC. BODY

hundredths cubic <u>INCHES</u> , of which the dry quart and dry pint,
#320SEC. BODY
#320SEC. BODY35-14-101. (5) (5) "Gallon" means a unit of two hundred thirty-one cubic INCHES, of
#321SEC. BODY
#322SEC. BODY
#323SEC. BODY
#324SEC. BODY
#324SEC. BODY
#324SEC. BODY
#324SEC. BODY
#325SEC. BODY
#325SEC. BODY
#325SEC. BODY
#326SEC. BODY
#327SEC. BODY
#327SEC. BODY
#328SEC. BODY
#329SEC. BODY

not less than one-quarter <u>INCH</u> in height.
#330SEC. BODY
#331SEC. BODY
#332SEC. BODY35-33-102. (7) exceed thirty-five cubic FEET used for the storing of meat or food.
#332SEC. BODY
#333SEC. BODY35-40-113. two hundred <u>YARDS</u> from the nearest property line or public right-of-way.
#334SEC. BODY35-43-121. No person shall keep or herd ten or more sheep within two <u>MILES</u> of any
#335SEC. BODY
#336SEC. BODY
#337SEC. BODY
#338SEC. BODY
#339SEC. BODY
#340SEC. BODY35-49-114. ten acre <u>FEET</u> or having a dam more than fifteen <u>FEET</u> in vertical height
#341SEC. BODY35-50-123. than two <u>INCHES</u> in length on the left jaw of such animal with a hot
#342SEC. BODY35-52-105. each letter to be not less than two <u>INCHES</u> in size, and notation must be
#343SEC. BODY35-52-106. chutes in some section of <u>YARDS</u> which have been thoroughly cleaned and
#344SEC. CATCH35-52-107. 35-52-107. Chutes and <u>YARDS</u> disinfected.
#344SEC. BODY35-52-107. such hogs a portion or section of YARDS and chutes, which shall be kept
#345 SEC RODY 35-53-101 (2)

such other grazing or feeding grounds are more than seventy-five MILES
#346SEC. BODY
#346SEC. BODY35-53-105. (4) (f) MILES by the nearest passable road route from the point of origin, and
#347SEC. BODY
#348SEC. BODY
#349SEC. BODY
#349SEC. BODY
#349SEC. BODY
#350SEC. BODY
#351SEC. BODY
#352SEC. BODY
#353SEC. BODY
#354SEC. BODY
#354SEC. BODY
#354SEC. BODY
#354SEC. BODY
#355SEC. BODY
#355SEC. BODY
#355SEC. BODY

#355SEC. BODY
#356SEC. BODY
#356SEC. BODY37-63-101. 2. (a) Interstate Station is one hundred cubic <u>FEET</u> per second, or more.
#356SEC. BODY
#357SEC. BODY
#357SEC. BODY
#357SEC. BODY
#357SEC. BODY
#358SEC. BODY
#359SEC. BODY

#360SEC. BODY
#360SEC. BODY
#361SEC. BODY
#362SEC. BODY
#363SEC. BODY
#364SEC. BODY
#365SEC. BODY
#366SEC. BODY
#367SEC. BODY
#367SEC. BODY
#368SEC. BODY
#369SEC. BODY
#370SEC. BODY
#370VETOED
#371SEC. BODY
#372SEC. BODY
#372VETOED
#373SEC. BODY

#374SEC. BODY
#374SEC. BODY
#375SEC. BODY
#376SEC. BODY
#377SEC. BODY
#378SEC. BODY
#379SEC. BODY
#379SEC. BODY
#380SEC. BODY
#381SEC. BODY
#381SEC. BODY
#381SEC. BODY
#382SEC. BODY

#382VETOED
#382VETOED
#382VETOED39-4-106. (d) (d) Ascertain the total MILEAGE of all railroad main track of such
#382VETOED
#382VETOED
#382VETOED
#382VETOED
#383SEC. BODY
#384SEC. BODY
#385SEC. BODY
#385VETOED
#386SEC. BODY
#386SEC. BODY
#386SEC. BODY
#386SEC. BODY
#387SEC. BODY
#388SEC. BODY

#385SEC. BODY
#390SEC. CATCH
#390SEC. BODY
#391SEC. BODY
#392SEC. BODY
#393SEC. BODY
#394SEC. BODY
#395SEC. BODY
#396SEC. BODY
#397SEC. BODY
#398SEC. BODY
#399SEC. BODY
#400SEC. BODY
#401SEC. BODY
#402SEC. BODY
#403SEC. BODY
#404SEC. BODY
#405SEC. BODY

#406SEC. BODY
#406SEC. BODY
#406SEC. BODY
#406SEC. BODY
#406SEC. BODY
#406sEC. B007
#406SEC. BODY
#406SEC. BODY
#4065EC. BODY
#407SEC. BODY
#408SEC. BODY
#409SEC. BODY
#410SEC. BODY
#410SEC. 80DY
#410SEC. BODY
#411SEC. BODY
#411SEC. BODY

#412SEC. BODY
#413SEC. BODY
#414SEC. BODY
#415SEC. BODY
#415 SEC. BODY
#416SEC. BODY
#417SEC. BODY
#418SEC. BODY
#419SEC. BODY
#420SEC. BODY
#421SEC. BODY

less than twenty-four INCHES, to be measured as set torth in section
#422SEC BODY
#400SEC. BOD:
#422SEC 60D1
#422SEC BODY
#423380. B30942-4-206. (1) visible at a distance of five hundred $\overline{\text{FEET}}$ .
#403SEC. BODY
#423SEC. BODY
#423SEC. BODY
#423SEC. RODY
#4235EG. BODY
#423SEC. BODY
#423SEC. BODY
#423SEC. RODY
#423SEC BGDY
#423SEC. BODY
#423SEC. BODY
#423SEC. BODY
#423SEC. BODY
#424SEC BOGY

#425SEC. BODY
#426SEC. BODY
#426SEC. BODY
#427SEC. BODY
#428SEC BODY42-4-211. (1) side of the vehicle nor more than one hundred <u>FEET</u> ahead of the vehicle.
#428SEC. BODY
#428SEC. BODY
#428SEC. BODY

sixteen <u>INCHES</u> nor more than forty-two <u>INCHES</u> above the level surface
#429SEC. BODY
#429SEC. BODY
#430SEC. BODY
#431SEC. BODY
#431SEC. BODY
#431SEC. BODY
#431SEC. BODY
#432SEC. BODY
#432SEC. BODY
#433SEC. BODY
#433SEC. BODY
#434SEC. BODY
#434SEC. BODY
#435SEC. BODY
#435SEC. BODY
#435SEC. BODY

#443 SEC. BODY
#444SEC. BODY
#445 SEC. BODY
#445SEC. BODY
#445SEC. BODY
#445SEC. BODY
#445SEC. BODY
#445SEC. BODY
#446SEC. BODY
#446SEC. BODY
#447SEC. BODY
#447SEC. BODY
#448SEC. BODY
#448SEC. BODY
#448SEC. BODY
#449SEC BODY42-4-408. (1) nearest public scales in the event such scales are within two $\underline{\text{MILES}}$ .
#450SEC. BODY
#451SEC. BODY

irregular one-half INCH red border. Said flag shall be of reflective
#452SEC. BODY
#452SEC. BODY
#453SEC. BODY
#454SEC. BODY
#455SEC. BODY
#455SEC. BODY42-4-609. (3) fifteen FEET nor more than fifty FEET from the nearest rail of such
#456SEC. BODY
#457SEC. BODY
#457SEC. BODY
#458SEC. BODY
#459SEC. BODY
#459SEC. BODY
#459SEC. BODY
#460SEC. BODY
#460SEC. BODY
#460SEC. BODY
#460SEC. BODY

#460SEC. BODY
#460SEC. BODY
#460SEC. BODY
#460SEC. BODY
#460SEC. BODY
#461SEC. BODY
#461SEC. BODY
#461SEC. BODY
#461SEC. BODY
#462SEC. BODY
#463SEC. BODY

#464SEC. BODY
#464SEC. BODY
#465SEC. BODY
#466SEC. BODY
#467SEC. BODY
#468SEC. BODY
#469SEC. BODY
#470SEC. BODY
#470SEC. BODY42-6-206. (2) number of MILES indicated thereon.
#470SEC. BODY
#471SEC. BODY
#472SEC. BODY
#473SEC. BODY
#474SEC. BODY
#475SEC. BODY
#476SEC. BODY
#477SEC. BODY43-1-418. (1) (b)

(b) Along the highway within five hundred $\overline{\text{FEET}}$ of the center point approaching the intersection and within five hundred $\overline{\text{FEET}}$ of such center
#477SEC. BODY
#478SEC. BODY
#479SEC. BODY
#480SEC. BODY
#481SEC. BODY
#481SEC. BODY
#482SEC. BODY
#483SEC. BODY
#483SEC. BODY
#483SEC. BODY
#484SEC. BODY
#485SEC. BODY
#486SEC. BODY
#487SEC. BODY
#488SEC. BODY
#489SEC. BODY
#490SEC. BODY

as defined in section 43-2-201, in each county, excepting MILEAGE of state highways. The adjusted MILEAGE will be determined by applying to the existing MILEAGE of open, used, and maintained public highways a MILEAGE, the adjusted MILEAGE, and the factor representing the
#490SEC. BODY
#491SEC. BODY
#491SEC. BODY
#492SEC. BODY

```
#1 if acre*.
#2 if bale(s).
#3 if grain.
#4 if bushel(s).
#5 if cord(s).
#6 if peck(s).
when #1 or #2 or #3 or #4 or #5 or #6.
```

WORDS NOT ON CONCORDANCE FILE
BALES
BUSHELS
PECK
PECKS

## QUERY STATISTICS

statement	qualifying	qualifying
number	references	sections
#1	450	181
#2	1	1
#3	22	14
#4	3	<i>.</i> 2
<b>#5</b>	6	5
#6	0	0

Result: 482 references qualify in 201 sections.

#1SEC. BODY
#2SEC. BODY
#3SEC. BODY
#4SEC. BODY
#5SEC. BODY
#6SEC. BODY
#7SEC. CATCH
#7SEC. BODY
#8SEC. BODY
#9SEC. BODY
#10SEC. BODY
#11SEC. BODY
#12SEC. BODY
#13SEC. BODY
#14SEC. BODY
#15SEC. BODY
#16SEC. BODY

#17SEC. BODY
#18SEC. BODY
#19SEC. BODY
#20SEC. BODY
#21SEC. BODY
#22SEC. BODY
#23SEC. BODY
#24SEC. BODY
#25SEC. BODY
#26SEC. BODY
#27SEC. BODY
#28SEC. BODY
#29SEC. BODY
#30SEC. BODY
#30SEC. BODY
#30SEC. BODY
#31SEC. BODY
#32SEC. BODY

forests are located, on the basis of the <u>ACREAGE</u> of national forest land
#33SEC. BODY
#33SEC. BODY
#34SEC. BODY
#35SEC. BODY
#36SEC. BODY
#37SEC. BODY
#38SEC. BODY
#39SEC. BGDY
#40SEC. BODY
#41SEC. BODY
#42SEC. BODY
#42SEC. BODY
#43SEC. BODY
#44SEC. BODY
#45SEC. BODY
#46SEC. BODY
#47SEC. BODY
#48SEC. BODY
#49SEC. BODY

not by amount of ACREAGE, of real property within the proposed
#50SEC. BODY
#51SEC. BODY
#52SEC. BODY
#53SEC. BODY
#54SEC. BODY
#55SEC. BODY
#56VETOED
#57SEC. BODY
#57SEC. BODY
#57SEC. BODY
#57VETOED
#57VETOED
#57VETOED
#58SEC. BODY
#58SEC. BODY
#58SEC. BODY
#58VETOED
#58VETOED

#58VETOED
#59SEC. BODY
#59SEC. BODY
#59SEC. BODY
#59VETOED
#59VETOED
#59VETOED
#59VETOED
#60SEC. BODY
#61SEC. BODY
#62SEC. BODY
#62SEC. 20DY
#62SEC. BODY

#63SEC. BODY
#64SEC. BODY
#64SEC. BODY
#65SEC. BODY
#66SEC. BODY
#67SEC. BODY
#68SEC. BODY
#68SEC. BODY
#68SEC. BODY
#69SEC. BODY
#70SEC. CATCH35-5-111. 35-5-111. Reports of <u>ACREAGE</u> infested - county tax levy - fund -
#71SEC. BODY
#72SEC. BODY
#72SEC. BODY35-5-120. (3) conduct control operations on other than range <u>ACREAGE</u> .
#73SEC. BODY35-7-110.  lessee, or contract holder in the proportion that the number of <u>ACRES</u> of land treated for him bears to the total <u>ACREAGE</u> treated in the area
#74SEC. BODY35-7-114. not exceed the rate of fifteen cents per <u>ACRE</u> for operations conducted
#75SEC. BODY
#75SEC. BODY
#76SEC. BODY35~14~128. (1) standard weight of a <u>BUSHEL</u> of each of the <b>f</b> oregoing articles; and measure of a BUSHEL.

#77SEC. BODY35-23-107. representing at least fifty-one percent of the <u>ACREAGE</u> of the commodity
#78SEC. BODY
#79SEC. BODY
#80SEC. BODY
#80SEC. BODY
#81SEC. BODY
#82SEC. BODY
#83SEC. BODY
#84350035000000 ART. NO
#85SEC. BODY
#86SEC. CATCH
#86SEC. BODY
#87350036000000 ART. NO
#88SEC. BODY
#89SEC. BODY
#90SEC. BODY
#91SEC. BODY

ten ACRE feet or having a dam more than fifteen feet in vertical height
#92SEC. BODY
#93SEC. BODY35-65-117. hundred <u>ACRES</u> , suitable for county fair purposes, which shall be used
#94SEC. BODY
#95SEC. BODY
#96SEC. BODY
#97SEC. BODY
#97SEC. BODY36-1-112. (1) (b) (b) Filing application to purchase for each one hundred sixty <u>ACRES</u>
#97SEC. BODY
#97SEC. BODY
#97SEC. BODY
#97SEC. BODY
#98SEC. BODY
#99SEC. BODY
#100SEC. BODY
#101SEC. BODY
#102SEC. BODY
#102SEC. BODY
#103SEC. BODY
#104SEC. BODY
#105SEC. BODY

A neglect to occupy the claim, or to inclose at least five <u>ACRES</u> with a reasonable fence, or plow at least five <u>ACRES</u> of the same for the period
#106SEC. BODY
#107SEC. BODY
#108SEC. BODY
#109SEC. BODY
#110SEC. BODY36~3-125. ACREAGE and legal subdivisions of land intended to be reclaimed; the
#111SEC. CATCH
#111SEC. BODY
#112SEC. BODY
#113SEC. BODY
#114SEC. BODY
#115SEC. BODY
#116SEC. BODY
#116SEC. BODY
#117SEC. BODY
#118SEC. BODY
#119SEC. BODY
#120SEC. BODY
#121SEC. BODY37-33-108.

in proportion to the number of <u>ACRES</u> in each tract of land or according
#122SEC. BODY
#122SEC. BODY
#123SEC. BODY
#124SEC. BODY
#124SEC. BODY
#125SEC. BODY
#126SEC. BODY
#127SEC. BODY
#128SEC. BODY
#129SEC. BODY
#129SEC. BODY
#130SEC. BODY
#131SEC. BODY
#132SEC. BODY
#132SEC. BODY
#133SEC. BODY

#134SEC. BODY
#135SEC. BODY
#136SEC. BODY
#137SEC. BODY
#138SEC. BODY
#139SEC. CATCH
#139SEC. BODY
#140SEC. BODY
#141SEC. BODY
#142SEC. BODY
#143SEC. BODY
#144SEC. BODY
#145SEC. BODY
#146SEC. BODY
#147SEC. BODY
#148SEC. BODY
#149SEC. BODY
#150SEC. BODY

#151SEC. BODY
#152SEC. BODY
#153SEC. BODY
#154SEC. BODY
#155SEC. BODY
#156SEC. BODY
#157SEC. BODY
#158SEC. BODY
#159SEC. BODY
#160SEC. BODY
#161SEC. BODY
#161SEC. BODY
#162SEC. BODY
#162SEC. BODY
#163SEC. BODY
#163SEC. BODY
#164SEC. BODY
#164SEC. BODY
#164SEC. BODY

rate per ACRE-FOOT of water in the respective units; and further except
#165SEC. BODY
#166SEC. BODY
#167SEC. BODY
#167SEC. BODY
#167SEC. BODY
#167SEC. BODY
#168SEC. BODY
#169SEC. BODY
#169SEC. BODY
#170SEC. BODY
#170SEC. BODY
#170SEC. BODY
#170SEC. BODY37-66-101. (1) (2)

## Quantities in thousands of ACRE-FEET

```
#170....SEC. BODY.....
                               Quantities in thousands of ACRE-FEET
#170....SEC. BODY...
                       \dots \dots 37-66-101. (1) (6)
exceed 100,000 ACRE-FEET, except as either or both may be caused by
ACRE-FEET at any time, except as such debit may be caused by holdover
the sum of 150,000 ACRE-FEET and all gains in the quantity of water in
ACRE-FEET shall be taken as equal to that amount
400,000 ACRE-FEET of usable water in project storage; provided, that if
an average of 790,000 ACRE-FEET per annum, the time at which such
quantity of usable water in project storage to 600,000 ACRE-FEET by
thirtieth, to the end that a normal release of 790,000 ACRE-FEET may be
#171....SEC. BODY......
     The term "ACRE-FOOT," as herein used, is the quantity of water
required to cover an ACRE to the depth of one foot and is equivalent to
     The specific allocations in ACRE-FEET hereinafter made to each state
     Arikaree River drainage basin, 19,610 ACRE-FEET;
     Buffalo Creek drainage basin, 7,890 ACRE-FEET;
     Rock Creek drainage basin, 11,000 ACRE-FEET;
     South Fork of the Republican River drainage basin, 57,200 ACRE-FEET;
     Frenchman Creek (River) drainage basin in Nebraska, 98,500 ACRE-FEET;
     Blackwood Creek drainage basin, 6,800 ACRE-FEET;
     Driftwood Creek drainage basin, 7,300 ACRE-FEET;
     Red Willow Creek drainage basin in Nebraska, 21,900 ACRE-FEET;
     Medicine Creek drainage basin, 50,800 ACRE-FEET;
     Beaver Creek drainage basin, 16,500 ACRE-FEET; Sappa Creek drainage basin, 21,400 ACRE-FEET;
     Prairie Dog Creek drainage basin, 27,600 ACRE-FEET;
ACRE-FEET.
annually, a total of fifty-four thousand, one hundred (54,100) ACRE-FEET
     North Fork of the Republican River drainage basin, 10,000 ACRE-FEET;
     Arikaree River drainage basin, 15,400 ACRE-FEET;
     South Fork of the Republican River drainage basin, 25,400 ACRE-FEET;
     Beaver Creek drainage basin, 3,300 ACRE-FEET; and
(190,300) ACRE-FEET of water. This total is to be derived from the
     Arikaree River drainage basin, 1,000 ACRE-FEET;
     South Fork of the Republican River drainage basin, 23,000 ACRE-FEET;
     Driftwood Creek drainage basin, 500 ACRE-FEET;
     Beaver Creek drainage basin, 6,400 ACRE-FEET;
     Sappa Creek drainage basin, 8,800 ACRE-FEET;
     Prairie Dog Creek drainage basin, 12,600 ACRE-FEET;
ACRE-FEET; provided, that Kansas shall have the right to divert all or
(234,500) ACRE-FEET of water. This total is to be derived from the
     Frenchman Creek (River) drainage basin in Nebraska, 52,800 ACRE-FEET;
     Rock Creek drainage basin, 4,400 ACRE-FEET:
     Arikaree River drainage Lasin, 3,300 ACRE-FEET;
     Buffalo Creek drainage basin, 2,600 ACRE-FEET;
     South Fork of the Republican River drainage basin, 800 ACRE-FEET;
     Driftwood Creek drainage basin, 1,200 ACRE-FEET;
     Red Willow Creek drainage basin in Nebraska, 4,200 ACRE-FEET;
     Medicine Creek drainage basin, 4,600 ACRE-FEET;
     Beaver Creek drainage basin, 6,700 ACRE-FEET;
     Sappa Creek drainage basin, 8,800 ACRE-FEET;
     Prairie Dog Creek drainage basin, 2,100 ACRE-FEET;
ACRE-FEET.
```

#172SEC. BODY
#172SEC. BODY
#173SEC. BODY
#174SEC. BODY
#175SEC. BODY
#176SEC. BODY
#176VETOED
#177SEC. BODY
#178SEC. BODY
#178VETOED
#179SEC. BODY

a reservoir with a surface in excess of twenty ACRES, nor from
#180SEC. BODY
#181SEC. BODY
#181SEC. BODY
#182SEC. BODY37-88-102. thousand <u>ACRES</u> of good arable land between Canon City and Pueblo; but
#183SEC. BODY
#184SEC. BODY
#184VETOED
#185SEC. BODY
#185SEC. BODY
#186SEC. BODY
#187SEC. BODY
#187SEC. BODY
#187SEC. BODY
#188SEC. BODY
#189SEC. BODY
#190SEC. BODY
#191SEC. BODY38-43-105. production from any such unitized area on an <u>ACREAGE</u> basis. The trustee
#192SEC. BODY
#192SEC. BODY

which underlies a residence and an area not exceeding one <u>ACRE</u> which
#193SEC. BODY
#194SEC. BODY
#195SEC. BODY
#196SEC. BODY
#197SEC. BODY
#197SEC. BODY
#197SEC. BODY
#198SEC. BODY
#199SEC. BODY
#199SEC. BODY
#199SEC. BODY
#200SEC. BOOY
#201SEC. BODY

#1 if ounce(s).
#2 if fluidounce(s).
#3 if pound\*.
#4 if lb(s).
#5 if ton\*.
when #1 or #2 or #3 or #4 or #5.

## WORDS NOT ON CONCORDANCE FILE FLUIDOUNCE FLUIDOUNCES LB

## QUERY STATISTICS

statement	qualifying	qualifying
number	references	sections
#1	20	8
#2	0	0
#3	225	66
#4	2	1
#5	130	50

Result: 377 references qualify in 115 sections.

#1000001400110 TITLE NO
#2SEC. BODY
#3SEC. BODY
#4SEC. BODY
#4SEC. BODY
#5SEC. BODY
#6SEC. BODY
#7SEC. BODY
#7 SEC. BODY
#8SEC. BODY
#8SEC. BODY
#8SEC. BODY
#8SEC. BODY
#8SEC. BODY
#8SEC. BODY
#9SEC. BODY
#10SEC. BODY
#11SEC. BODY
#11SEC. BODY

human body by the use of cosmetic preparations, antiseptics, TONICS,
#11SEC. BODY
#11SEC. BODY
#12SEC. BODY
#13SEC. BODY
#14SEC. BODY
#15SEC. BODY
#15VETOED
#16SEC. BODY
#16VETOED
#17SEC. BODY
#18SEC. BODY

#19SEC. BODY
#20SEC. BODY
#21SEC. BODY
#22SEC. BODY
#23SEC. BODY
#24SEC. BODY
#25SEC. BODY
#26SEC. BODY
#27SEC. BODY
#28SEC. BODY
#29SEC. BODY
#30SEC. BODY
#30SEC. BODY
#31SEC. BODY
#31SEC. BODY25-12-106. (1) (d) thousand <u>POUNDS</u> or more manufactured on or after January 1, 197386
#32SEC. BODY
#32SEC. BODY
#33SEC. BODY
#34SEC. BODY
#35SEC. BODY

having a capacity of at least four <u>POUNDS</u> , or a dry chemical type extinguisher having a capacity of at least two <u>POUNDS</u> . Class 2
#36SEC. BODY
#36SEC. BODY
#36SEC. BODY34-23-101. (6) (6) If any mine owner has not made the monthly reports of $\underline{TONNAGE}$ ,
#37SEC. BODY
#38SEC. BODY
#38SEC. BODY
#39SEC. BODY
#40SEC. BODY
#41SEC. BODY
#42SEC. BODY
#43SEC. BODY
#44SEC. BODY
#44SEC. BODY
#44SEC. BODY
#45SEC. BODY
#46SEC. BODY

and nut and t making report	coal seam, number of <u>TONS</u> of lump, number of the number of <u>TONS</u> of <u>coke</u> made, railroad conn t, number of fatal accidents, <u>TONS</u> mined by ha <u>TONS</u> mined by machine, number of mining machi	nections, and
	BODY34- on each <u>TON</u> of coal received through said priv	
	BODY34- venty thousand <u>TONS</u> of mineral or overburden p	
#48VETOE than one hund	EDdred fifty thousand <u>TONS</u> of mineral or overbur	.34-32-110. den per
timbers, cost	BODY34-40-1 t of transporting supplies to mine, cost per <u>T</u> cost of sinking per foot, average cost of dri	ON for
	BODY35- ntaining more than one hundred <u>POUNDS</u> .	12-103. (6)
#50SEC. carbonate equ	BODY35-12-103. (1 uivalent in multiples of one hundred <u>POUNDS</u> pe	6) (a) (IV) er <u>TON</u> may be
#50SEC. container con	BODY35-1 ntaining one hundred <u>POUNDS</u> or less.	.2-103. (24)
#50SEC. (33) "J	BODY35-1 TON" means a net weight of two thousand <u>POUNDS</u>	2-103. (33) avoirdupois.
#50SEC. (35) "U TON.	BODY35-1 Unit" means twenty <u>POUNDS</u> of plant food or one	2~103. (35) e percent of a
POUNDS or les	BODY35-ss, shall pay the commissioner, for all commerty-five cents per TON.	12-106. (1) cial
	BODY35- r less shall pay the commissioner, for all spe ndred <u>POUNDS</u> .	
adequate reco	BODY35- ords showing the <u>POUNDS</u> or <u>TONNAGE</u> shipped to uch records to verify the statement of <u>POUNDS</u>	or sold,
commissioner paid within t	BODY35- which discloses the <u>POUNDS</u> or <u>TONNAGE</u> of com the forty-five-day period or if the report of alse, the commissioner may revoke the registra	nmercial POUNDS or
#51SEC. reporting the	BODY	12-106. (5) inspection
#51SEC. already been	BODY	12-106. (6) a Colorado
#52SEC.	CATCH	. 35-12-107.

#53SEC. BODY
#53SEC. BODY
#53SEC. BODY
#53SEC. BODY
#54SEC. BODY
#55SEC. BODY
#56SEC. BODY
#56SEC. BODY
#57SEC. BODY
#58SEC. BODY
#58SEC. BODY
#58SEC. BODY
#59SEC. BODY

establishment's annual production in <u>POUNDS</u> : Class I breaker's license up to and including fifty thousand <u>POUNDS</u> per year, twenty-five dollars; Class II breaker's license, over fifty thousand <u>POUNDS</u> per year, fifty
#59SEC. BODY
#60SEC. BODY
#61SEC. BODY
#62SEC. BODY
#63SEC. BODY
#63SEC. BODY
#64SEC. BODY
#65SEC. BODY
#66SEC. BODY
#67SEC. BODY
#68SEC. BODY
#69SEC. BODY
#70SEC. BODY
#71SEC. BODY
#72SEC. BODY35-60-102. (16) be paid on the <u>TONNAGE</u> of feed sold within the state rather than by the
#72SEC. BODY
#73SEC. BODY

#74SEC. BODY
#74SEC. BODY
#75SEC. BODY
#76SEC. CATCH
#76SEC. BODY
#76SEC. BODY
#77SEC. BODY
#78SEC. BODY
#79SEC. BODY
#80SEC. BODY
#81SEC. BODY
#82SEC. BODY
#83SEC. BODY
#84SEC. BODY
#85SEC. BODY
#86SEC. BODY
#96 (EC PODY 20-21-110 (2)

(2) Any portion of an income, gross <u>TON-MILE</u> , passenger-mile, motor
#86SEC. BODY
#87SEC. BODY
#88SEC. BODY
#89SEC. BODY
#89SEC. BODY
#90SEC. BODY
#91SEC. BODY
#92SEC. BODY
#93SEC. BODY
#93SEC. BODY
#93SEC. BODY
#93SEC. BODY
#93SEC_BODY
#94SEC. BODY
#95SEC. BODY
#96SEC. CATCH
#96SEC. BODY

#96SEC. BODY
#96SEC. BODY
#96SEC. BODY42-3-123. (12) (b)

thousand <u>POUNDS</u> but not exceeding sixteen thousand <u>POUNDS</u> registered as subject to payment of the gross <u>TON-MILE</u> tax assessed by the provisions gross <u>TONS</u> of empty vehicle weight, and gross <u>TONS</u> of cargo weight moved
#96SEC. BODY

this section is not subject to the payment of <u>TON-MILE</u> taxes or to
#96SEC. BODY
#97SEC. BOD1
#98SEC. BODY
#98SEC. BODY
#98SEC. BCDY
#98SEC. BOD's
#93SEC. BODY
#100SEC. BODY
#101SEC. BODY
#102SEC. BODY
#103SEC. BODY
#103SEC. BODY
#104SEC. BODY
#105SEC. BODY
#106 SEC. BODY 42-4-234. (2) bearing a gross TON-MILE truck plate, any truck bearing a gross TON-MILE

#107SEC. BODY
#108SEC. BODY
#109SEC. BODY
#110SEC. BODY
#111SEC. BODY
#112SEC. BODY
#113SEC. BODY
#114SEC. BODY
#115SEC. BODY

#1 if pica\*.

Result: 1 reference qualifies in 1 section.

#1 if mil.
#2 if rod(s).
#3 if bales.
when #1 or #2 or #3.

## WORDS NOT ON CONCORDANCE FILE BALES MIL

#### QUERY STATISTICS

statement	qualifying	qualifying
number	references	sections
#1	0	0
#2	29	10
#3	0	0

Result: 29 references qualify in 10 sections.

RODS located on oil and gas leaseholds or lands shall be separately

#1 if chain(s).
#2 if link(s).
#3 if perches or poles.
when #1 or #2 or #3.

## WORDS NOT ON CONCORDANCE FILE PERCHES

#### QUERY STATISTICS

statement	qualifying	qualifying
number	references	sections
#1	43	27
#2	8	7
#3	26	22

Result: 77 references qualify in 51 sections.

minutes east eighty-six CHAINS, to a point on the eastern boundary; thirty-one one-hundredths CHAINS, to the north corner; thence south hundredths CHAINS, to the west corner; thence south thirty-three degrees east four hundred and sixty-nine and fifty hundredths CHAINS to the seventy-six and sixty-four hundredths CHAINS, to the east corner; thence west one hundred and forty-four and nineteen hundredths CHAINS, to the
#2SEC. BODY
#3SEC. BODY6-1-102. (9) pyramid or <u>CHAIN</u> process by which a participant in the program gives a
#4SEC. BODY
#5SEC. BODY9-3-102. grenade type or fusible <u>LINK</u> release device for use in any of said
#6SEC. BODY
#7120049000000 ART. NO
#8SEC. BODY
#9SEC. BODY
#10SEC. BODY
#11SEC. BODY
#11SEC. BODY
#12SEC. BODY
#13SEC. BODY
#14SEC. BODY
#15SEC. BODY
#16SEC. BODY30-5-105. CHAINS west on said state line from the range line between ranges four

#17SEC. BODY
#17SEC. BODY
#18SEC. BODY
#19SEC. BODY
#19SEC. BODY
#20SEC. BODY
#21SEC. BODY
#22SEC. BODY
#23SEC. BODY
#24SEC. BODY
#25SEC. BODY
#26SEC. BODY
#27SEC. BODY
#28SEC. BODY
#29SEC. BODY
#30SEC. BODY
#31SEC. BODY
#32SEC. BODY
#33SEC. BODY

conduits, subways, tracks, wires, <u>POLES</u> , pipes, or other equipment, or subways, wires, tracks, <u>POLES</u> , pipes, or other equipment, or in any or other users of such conduits, subways, tracks, wires, <u>POLES</u> , pipes,
#35SEC. BODY
#36SEC. BODY
#37SEC. BODY
#38SEC. BODY
#39SEC. BODY41-4-104. conduits, wires, cables, or <u>POLES</u> of any public utility which is
#40SEC. BODY
#41SEC. BODY
#42SEC. BODY
#43SEC. BODY
#44SEC. BODY
#45SEC. BODY
#45SEC. BODY
#45SEC. BODY
#46SEC. BODY
#47SEC. BODY
#48SEC. BODY
#49SEC. BODY

	BODYher natura} objects or on fences o	
#51SEC. LINKS within	BODYthe city.	43-2-124. (2)
	BODYhighways, or streets designated a	

```
#1 if curie.
#2 if oersted.
#3 if guass.
#4 if maxwell.
#5 if mho.
#6 if roentgen.
#7 if rem.
#8 if angstrom.
#9 if hundredweight.
when #1 or #2 or #3 or #4 or #5 or #6 or #7 or #8 or #9.
```

WORDS NOT ON CONCORDANCE FILE
ANGSTROM
CURIE
GUASS
MAXWELL
MHO
OERSTED

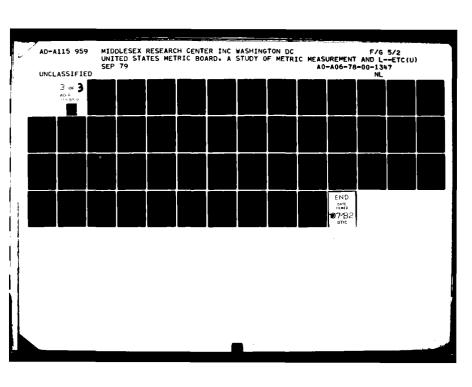
#### QUERY STATISTICS

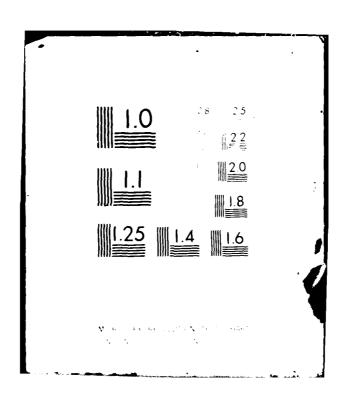
	qualifying	
number	references	sections
#1	0	0
#2	0	0
#3	0	0
#4	0	0
#5 <i>.</i> ,	0	0
#6	1	1
#7	26	24
#8	0	0
<b>#</b> 9	1	1

Result: 28 references qualify in 26 sections.

7-4-123. (7) the petition shall
7-7-108. (7) be served on each
12-35-110. (1) (i) purpose of taking
13-1-104. had may be supplied
13-1-109. r affecting only
15-12-501. Peding to secure
31-25-703. (2) for forfeiture,
32~1~504.
32-1-504. (1) court of the county in
32-4-540. (1) (b) proceeding in REM, and
32-11-812. (3) a proceeding in REM, and
34-64-105. (1) with the Colorado rules
35-23-114. (2) rly adapted, a
35-45-103. (1) tablished either as a
37-26-108. (2) etition in <u>REM</u> , duly
37-43-126. (2) a proceeding in <u>REM</u> and
37-43-159. (1) risdiction of all parties
37-43-176.
37-43-176. (1) power to make any proper
37-43-177. (1) (e) matter of the

#19SEC. BODY REM, and the court has power to make any prope
#20SEC. BODY
#21SEC. BODY(b) Such action shall be in the nature o
#22SEC. BODY(b) Such action shall be in the nature o
#23SEC. BODYarticle are actions in REM, and service by pub
#24SEC. BODYproceedings in REM.
#25SEC. BODYproceedings shall be in the nature of an actio
#26SEC. BODYsummons in civil actions in REM, unless otherw





#1 if fathom.
#2 if marine league(s).
when #1 or #2.

# WORDS NOT ON CONCORDANCE FILE FATHOM LEAGUES

#### QUERY STATISTICS

statement	qualifying	qualifying
number	references	sections
#1	0	0
#2	0	, D

Result: 0 references qualify in 0 sections.

Same of the State of the State

#19SEC. BODY37-43-181. (2) REM, and the court has power to make any proper orders affecting the
#20SEC. BODY
#21SEC. BODY
#22SEC. BODY
#23SEC. BODY
#24SEC. BODY
#25SEC. BODY
#26SEC. BODY

A STATE OF THE STATE OF

#1 if horsepower. #2 if 'h.p.' or hp. when #1 or #2.

## WORDS NOT ON CONCORDANCE FILE HP

#### QUERY STATISTICS

statement	qualifying	qualifying
number	references	sections
#1	. <b> 6</b>	2
	0	_

Result: 6 references qualify in 2 sections.

#1SEC. BODY	
#1SEC. BODY	
#1SEC. BODY  HORSEPOWER of any motor which may be attach	
#2SEC. BODY	
#2SEC. BODYby an engine of not to exceed six-brake HOR	
#2SEC. BODY	

#1 if psi or ksi.

## WORDS NOT ON CONCORDANCE FILE KSI

Result: 3 references qualify in 2 sections.

#1	SEC. BODY	9-4-114. (12)
	PSI shall be provided with two water-gauge	
hundred	PSI, the glass will be fitted with a globe	or gate-valved drain
	SEC. BODY	
not to e	exceed fifteen PSI. The safety valves shal	1 be arranged so that

#1 if footcandle.
#2 if footlambert.
#3 if lambert.
when #1 or #2 or #3.

## WORDS NOT ON CONCORDANCE FILE FOOTCANDLE FOOTLAMBERT

#### QUERY STATISTICS

statement	qualifying	qualifying
number	references	sections
#1	0	0
#2	0	0
#3	3	1

Result: 3 references qualify in 1 section.

15. M. J.

#1		coordinate			
#1		coordinate			
		coordinate			

The state of the s

11-48-107. Access to automated clearinghouse. Effective January 1, 1978, an automated clearinghouse in this state shall permit direct access to or membership in such clearinghouse by any financial institution if such access is not prohibited by any rule or regulation of the federal reserve board and if the financial institution agrees to abide by the rules of the clearinghouse. For purposes of this section, "automated clearinghouse" means a group of financial institutions or banks which have agreed to abide by certain rules and procedures for the purpose of exchanging payments and settling balances of participating financial institutions on COMPUTER tape to accomplish settlement of transactions by posting credits and debits to reserve balances maintained by member banks of the federal reserve systems through the federal reserve system.

#1 if computer\*.

Result: 16 references qualify in 13 sections.

```
#1 if rankine.
#2 if caliber.
#3 if calorie(s).
#4 if carat(s).
#5 if centipoise or poise.
#6 of gill.
#7 if kip(s).
#8 if slug(s).
#9 if stroke(s).
when #1 or #2 or #3 or #4 or #5 or #6 or #7 or #8 or #9.
```

# WORDS NOT ON CONCORDANCE FILE CALORIE CALORIES CARAT CARATS CENTIPOISE KIP KIPS OF POISE RANKINE STROKE STROKES

#### QUERY STATISTICS

statement	qualifying	qualifying
number	references	sections
#1	0	0
#2	1	1
	0	
#4	0	0
#5	0	0
#6	0	0
#7	0	0
#8	8	2
#9	0	0

Result: 9 references qualify in 3 sections.

#1SEC. BODY
#2SEC. CATCH
#2SEC. BODY
#3SEC. BODY

```
#1 if tablespoon(s).
#2 if teaspoon(s).
#3 if cup(s).
#4 if pint(s).
#5 if quart(s).
#6 if gallon(s) or gallonage.
when #1 or #2 or #3 or #4 or #5 or #6.
```

WORDS NOT ON CONCORDANCE FILE
PINTS
TABLESPOON
TABLESPOONS
TEASPOON
TEASPOONS

#### QUERY STATISTICS

statement	qualifying	qualifying
number	references	sections
#1	0	0
#2	0	0
#3	6	3
#4	5	3
#5	8	4
#6	92	35

Result: 111 references qualify in 40 sections.

(3) "Gross GALLONS" as applied to fuel and petroleum products means
#1SEC. BODY8-20-201. (5) (5) "Net GALLONS" as applied to fuel and petroleum products means
#1SEC. BODY
#2SEC. BODY
#3SEC. BODY
#4SEC. BODY8-20-218. (1) The compartment <u>GALLONAGE</u> shall be marked or stenciled with paint in
#58=20-230. (1) storage containers of an aggregate of over fifteen hundred $\underline{GALLONS}$ water
#6SEC. BODY
#6SEC. BODY8-20-406. (2) (c) of over two thousand <u>GALLONS</u> aggregate water capacity.
#7SEC. BODY
#8SEC. BODY
#9SEC. BODY
#10SEC. BODY
#11SEC. BODY
#12SEC. BODY
#13SEC. BODY
#14SEC. BODY
#14SEC. BODY25-5-502. (8)

Tagliabue open <u>CUP</u> tester. This definition shall not apply to the
#14SEC. BODY
#15SEC. BODY
#16SEC. BODY25-8-502. (1) (a) (I) (A) (A) Discharges a total volume of more than five million GALLONS on
#16SEC. BODY
#16SEC. BODY
#16SEC. BODY
#17SEC. BODY
#18SEC. BODY
#18SEC. BODY
#19SEC. BODY
#20SEC. BODY
#20SEC. BODY
#20SEC. BODY
#21SEC. BODY
#22SEC. BODY
#23SEC. BODY
#24SEC. BODY
#25SEC. BODY
#26 SEC RODY 35-49-105.

windmill water, having a pumping capacity of less than five GALLONS per
#27SEC. BODY
#27SEC. BODY
#27SEC. BODY
#28SEC. BODY
#29SEC. BODY
#30SEC. BODY
#31SEC. BODY
#32SEC. BODY
#33SEC. BODY
#33SEC. BODY
#33SEC. BODY
#34SEC. BODY
#35SEC. BODY

(c) In lieu of reporting all imports of more than twenty <u>GALLONS</u> of form furnished by the department, reciting the number of <u>GALLONS</u> of within this state during such preceding month, and the number of <u>GALLONS</u> of <u>GALLONS</u> of motor fuel used by such vehicles exceeds the number of <u>GALLONS</u> of motor fuel purchased, tax paid, in this state, a tax of seven cents per <u>GALLON</u> shall be paid on such excess <u>GALLONS</u> at the time such
#35SEC. BODY
#36SEC. BODY
#36SEC. BODY
#36SEC. BODY
#37SEC. BODY
#37SEC. BODY
#37SEC. BODY

#37SEC. BODY	)2
#38SEC. BODY	
#38SEC. BODY	1
#39SEC. BODY	
#40SEC. BODY	
WRITE; Depth set to 60 for queuing to 3776 WRITE: Depth reset to 21	

#1 if fahrenheit.
#2 if atmosphere.
#3 if degrees.
when #1 or #2 or #3.

#### QUERY STATISTICS

statement	qualifying	qualifying
number	references	sections
#1	41	22
#2	29	16
	97	

Result: 167 references qualify in 73 sections.

The second second

#1SEC. BODY3-1-116. thence south eighty-eight <u>DEGREES</u> , twenty minutes west along said Ute said Ute line; thence south eighty-eight <u>DEGREES</u> , twenty-five minutes west along said Ute line, three miles; thence south eighty-eight <u>DEGREES</u>
#2SEC. BODY
#3SEC. CATCH7-50-105. 7-50-105. Educational institution may confer <u>DEGREES</u> .
#3SEC. BODY
#4SEC. BODY8-11-117. (1) than an angle of forty-five <u>DEGREES</u> slant, and protected by well-secured
#5SEC. BODY8-20-201. (9) means sixty <u>DEGREES FAHRENHEIT</u> .
#68-20-204. (2) (a) hours at one hundred twenty-two <u>DEGREES FAHRENHEIT</u> ;
#6SEC. BODY
#78-20-205. (1) (c) DEGREES FAHRENHEIT, tag closed tester;
#78-20-205. (1) (e) DEGREES FAHRENHEIT,
#78-20-205. (1) (f) (f) The oil shall not show a cloud at five DEGREES FAHRENHEIT;
#8SEC. BODY
#9SEC. BODY
#98-20-413. (1) (d) thirty-seven DEGREES FAHRENHEIT or lower when corrected to a barometric
#10SEC. BODY
#10SEC. BODY
#10SEC. BODY9-4-101. (23) (b) (b) Fluid temperature of two hundred DEGREES FAHRENHEIT;

#11SEC. BODY9-4-114. (16) exceeds four hundred <u>DEGREES FAHRENHEIT</u> , brass or copper pipe or tubing
#12SEC. BODY
#13SEC. BODY
#13SEC. BODY
#14SEC. BODY9-5-104. (1) (c) hundred eighty or three hundred sixty <u>DEGREES</u> is sixty by sixty inches;
#15SEC. BODY
#16SEC. BODY
#16SEC. BODY
#17SEC. BODY
#18SEC. BODY
#19SEC. BODY
#19SEC. BODY
#20SEC. BODY
#21SEC. BODY
#22SEC. BODY
#23SEC. BODY
#23SEC. BODY
#23SEC. BODY
#24230002000000 ART. NO

#25SEC. CATCH23-2-103. 23-2-103. Awarding <u>DEGREES</u> .
#26SEC. CATCH23-20-115. 23-20-115. Departments - <u>DEGREES</u> - diplomas.
\$26SEC. BODY23-20-115. Such <u>DEGREES</u> and grant such diplomas and other marks of distinction as
#27SEC. CATCH23-31-112. 23-31-112. Board to prescribe books and confer <u>DEGREES</u> .
#27SEC. BODY23-31-112.  De used in the institution and confer such <u>DEGREES</u> or testimonials as
f28SEC. CATCH23-40-105. 23-40-105. Granting of <u>DEGREES</u> and diplomas.
#28SEC. BODY
#29SEC. BODY23-41-105.  and, by its board of trustees, may confer all <u>DEGREES</u> appropriate to the
#30SEC. CATCH23-50-110. 23-50-110. Granting of <u>DEGREES</u> and diplomas.
f30SEC. BODY23-50-110.  grant <u>DEGREES</u> and diplomas to the students who have completed the full
#31SEC. BODY23-53-102.  adult education; to confer baccalaureate and associate <u>DEGREES</u> and
#32SEC. BODY
f33SEC. BODY
#34SEC. BODY
#35SEC. BODY25-5-502. (2) eighty <u>DEGREES FAHRENHEIT</u> to and including one hundred and fifty <u>DEGREES</u> , as determined by the Tagliabue open cup tester. This
#35SEC. BODY25-5-502. (8) point at or below twenty <u>DEGREES FAHRENHEIT</u> as determined by the
#35SEC. BODY
#36SEC. BODY25-7-103. (2) or by reason of which there is emitted or discharged into the <u>ATMOSPHERE</u>
#36SEC. BODY25-7-103. (7) (7) "Emission" means the discharge or release into the <u>ATMOSPHERE</u> of
#37 SEC BODY 25-7-106 (1) (b)

(b) Classification and definition of different <u>DEGREES</u> or types of
#38SEC. BODY
#39SEC. BODY
#39SEC. BODY25-7-111. (1) (a) contaminant into the ATMOSPHERE, and, upon receipt of such order, such
#40SEC. BODY
#41SEC. BODY
#42SEC. BODY
#43SEC. BODY
#44SEC. BODY
#45SEC. BODY
#46SEC. BODY
#47SEC. BODY
#48SEC. BODY
#48SEC. BODY
#49SEC. BODY
#50SEC. BODY
#51SEC. BODY34-29-125. (1) pitching over twenty-five <u>DEGREES</u> under workings of the same mine or any
#52SEC. BODY
#53SEC. BODY

#54SEC. BODY
#55350023500000 ART. NO
#56SEC. BODY
#57SEC. BODY
#58SEC. BODY
#59SEC. BODY
#60SEC. BODY
#60SEC. BODY
#61SEC. BODY
#61SEC. BODY
#61SEC. BODY
#62SEC. BODY
#63SEC. BODY
#64SEC. BODY
#65SEC. BODY
#65SEC. BODY
#65SEC. BODY
#66SEC. BODY

#67SEC. BODY35-55-113. (1) hundred four <u>DEGREES FAHRENHEIT</u> or more as a symptom of a recognized
#68SEC. BODY36-20-103. right to all moisture suspended in the <u>ATMOSPHERE</u> which falls or is
#69SEC. BODY
#69SEC. BODY
#70SEC. BODY
#71SEC. BODY
#72SEC. BODY
#73SEC. BODY

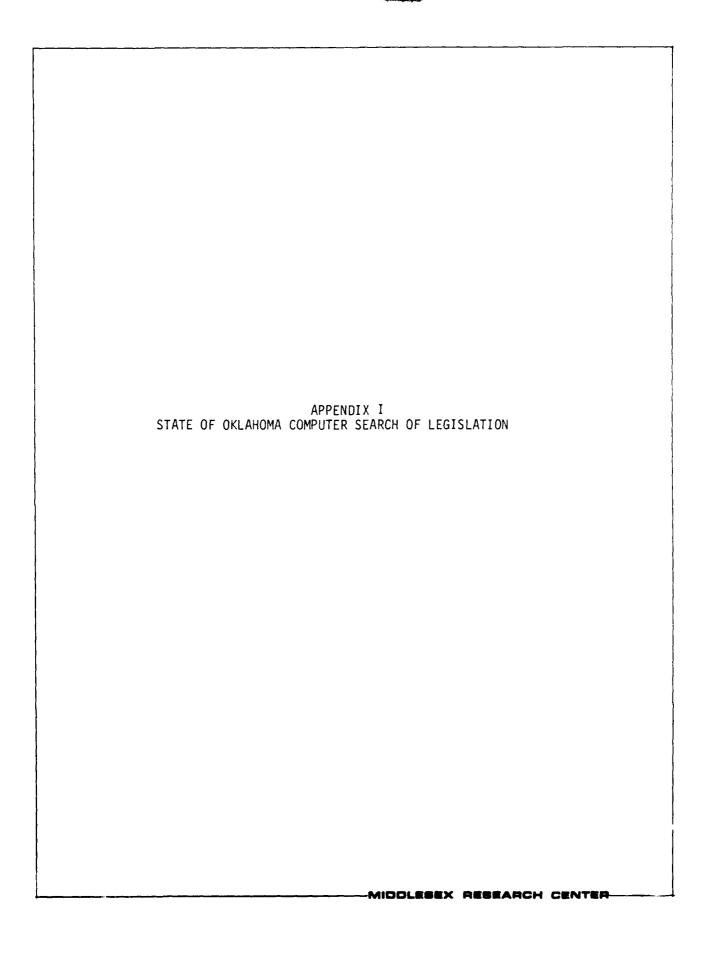
#1 if barrel(s).
#2 if b.t.u.\* or btu\*.
#3 if british thermal unit(s).
when #1 or #2 or #3.

#### QUERY STATISTICS

statement	qualifying	qualifying
number	references	sections
#1	20	11
#2	3	3
#3	3	1

Result: 26 references qualify in 14 sections.

#1SEC. BODY
#2SEC. BODY6-7-105. (2) annual estimated <u>BTU'S</u> necessary to heat, cool, and light the proposed
#3SEC. BODY8-20-206. (1) case of <u>BARRELS</u> , trucks, or tank wagons. At the same time, he shall
#4SEC. BODY8-20-213. (2) (2) There shall be branded on each <u>BARREL</u> , can, cask, tank, or other
#5SEC. BODY
#6SEC. BODY
#7SEC. BODY
#8SEC. BODY
#8SEC. BODY
#9SEC. BODY
#935-14-101. (1) (b)  BARREL" and "large BARREL", respectively;
#10SEC. BODY
#10SEC. BODY
#10SEC. BODY
#11SEC. BODY
#12SEC. BODY
#13SEC. BODY
#14SEC. BODY



CHAIRMAN
SENATOR GENE C HOWARD Tulsa
President Pru Tempore of the Senate



#### STATE LEGISLATIVE COUNCIL 30% STATE CAPITOL OKLAHOMA CITY 73105 409, 521-3201

January 16, 1978

Mr. Joseph L. Pokorney Vice President Middlesex Research Center, Inc. 3413½ M Street, N.W. Washington, D. C. 20007

Dear Mr. Pokorney:

Here are the number of occurences and the number of documents you requested for your study of metric measurements and legislation.

Given the large number of citations, you can see it would be a very extensive project.

Therefore, we do not feel we are justified in providing the kind of detail you requested.

Sincerely yours,

Verner R. Ekstrom

Data Processing Specialist

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#### hundredweight knot% lambert

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RESULT	2 OCCURRENCE	2 DOCUMENTS
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## mil peck\$ pica point

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#### hundredweight knots lambert

HUNDREDWEIGHT KMOT\* \$5 LAMBERT RESULT 00013\_

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POLES	23 OCCURRENCES	17	DOCUMENTS
RESULT	75 OCCURRENCE	56	DOCUMENTS
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## board adj foot board adj feet poundals cord\*

BOARD	15862	OCCURRENCES	4769	DOCUMENTS
FOOT	55	OCCURRENCES		DOCUMENTS
BOARD	15862	OCCURRENCES	4769	DOCUMENTS
FEET	523	OCCURRENCES	213	DOCUMENTS
POUNDALS	0	OCCURRENCES		
CORD\$	26	OCCURRENCES		
\$	12	OCCURRENCES	24	DOCUMENTS
<b>SAGE</b>	1	OCCURRENCE	1	DOCUMENT
SEAU	1	OCCUPRENCE	1	DOCUMENT
SELL	7	OCCUPRENCES	5	DOCUMENTS
STALS	7	OCCURRENCES	2	DOCUMENTS
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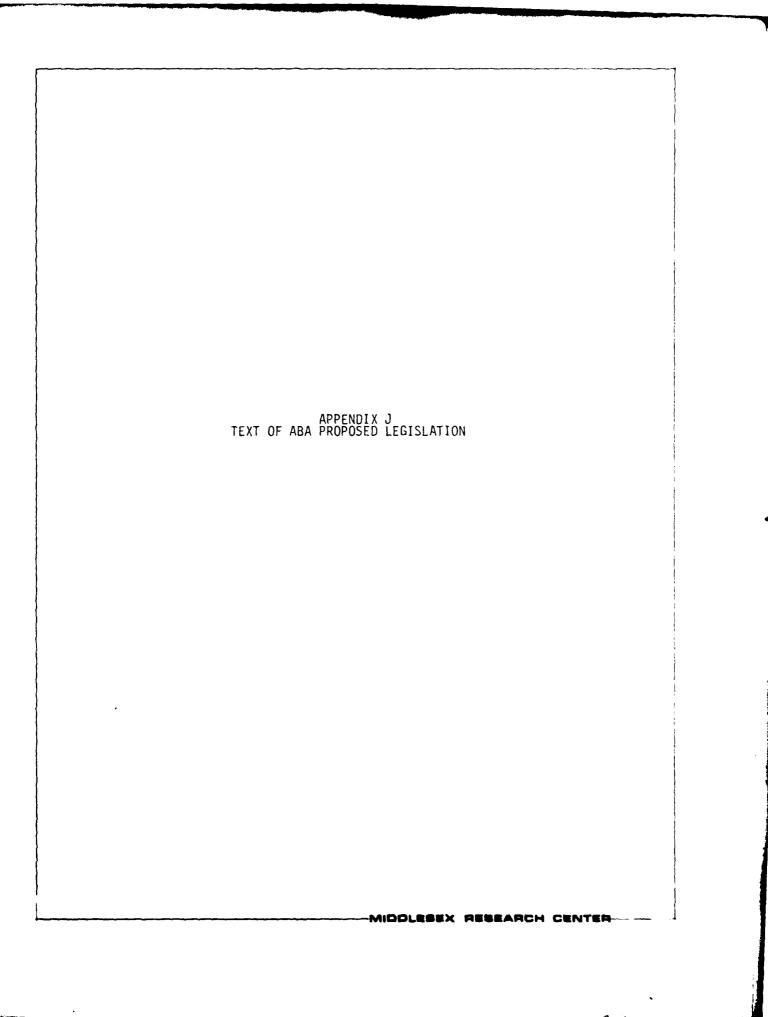
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#### TEXT OF PROPOSED LEGISLATION

Section 11. (a) The Board is hereby authorized to monitor the effect of Federal and State activities and requirements upon the implementation of specific programs for coordinating conversion neveloped under the auspices of acd approved by the Board.

(b) Whenever the Board finds, after notice in the Federal Register and coa-

sultation with affected sectors of society, that-

(1) the speciacation by any law of the United States, or of any State or possession, of a quantity in customary units is inconsistent with an approved program or that a reference in any law of the United States, or of any State or possession, to a customary unit without any numerical state ment associated with that unit, is inconsistent with an approved program; and

(2) such specification or reference university interferes with the due im-

plementation on a voluntary basis of such approved program; and

(3) such approved program represents a consensus of all affected rectors of society, including, as appropriate, small business, science, engineering, labor, education, consumers, the construction industry, government agencies at the Federal. State and local level, nationally recognized standards developing and coordinating organizations, metric conversion planning and coordinating groups, or such other individuals or groups as are considered appropriate by the Board to the carrying out of the purposes of this section; and

(4) in the case of a specification or reference by any State, the failure of such jurisdiction to take specific conversion action is inconsistent with the applicable program agreed upon, implemented or to be implemented, by

affected States generally;

the Board may develop a metric conversion plan which incorporates all or any part of the approved program, which shall identify the law or laws affected and shall set forth a quantity or quantities expressed in units of the metric system of measurement which shall be substituted for the customary quantity or quantities as contemplated by the related approved program or a reference consistent with the metric system of measurement which shall be substituted for the reference to a customary unit. No metric quantity set forth in a metric conversion plan under this section shall differ from the corresponding customary quantity by more than 12.5%. If a metric quantity is not the exact equivalent of a customary quantity because of rounding or otherwise the plan shall set forth the amount of the adjustment and the reasons therefor.

(c) Upon the development by the Board of a metric conversion plan, the Board shall transmit the plan to the President and the Congress. The plan shall be delivered to both Houses of Congress on the same day and shall be approved at the end of the first period of sixty calendar days that the Congress is in session after the date on which the plan is transmitted to it and to the President unless beween the date of transmittal and the end of the sixty-day regiod, either House masses a resolution stating in substance that it does not favor the plan or the

President disapproves the plan and gives his reasons therefor.

(d) Upon the approval of a metric conversion plan, or on any later date specified therein, or by the Board pursuant thereto, the plan shall become effective and the metric quantities or the references consistent with the metric system of measurement, or both, specified therein shall insofar as provided in the plan be deemed to be substituted for the related customary quantities and references. All such approved plans shall expire when the Board shall cease to exist unless the Congress, by law, shall determine otherwise; provided that such expiration shall not affect any law of the United States directly amended pursuant to subsection (f).

(e) An approved metric conversion plan may be amended by the same procedure as is provided in this section for the development and approval of an original

plan.

(f) Where a law of the United States, other than a provision of the United States Code which has been enacted as positive law, is modified by an approved metric conversion plan, the law so modified shall be regarded as directly amended for purposes of publication of the United States Code or any other official legal codification published by or on behalf of the United States.

